

PROCEEDINGS

OF THE

MASSACHUSETTS HISTORICAL SOCIETY.

Committee of Publication.

CHARLES DEANE.

SAMUEL A. GREEN.

CHARLES C. SMITH.

PROCEEDINGS
OF THE
Massachusetts Historical Society.

1873-1875.

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PREFATORY NOTE.

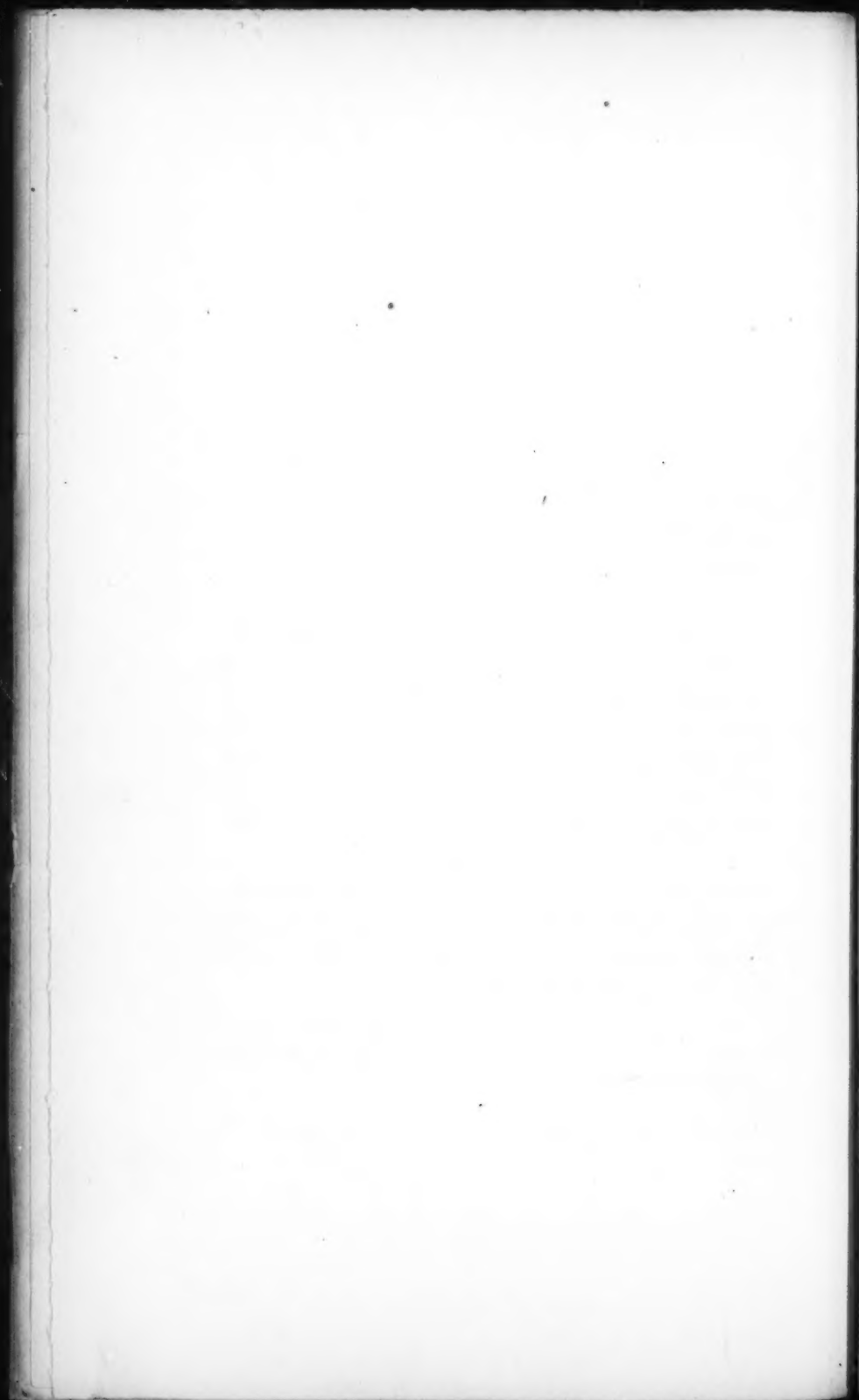
THIS volume contains a selection from the Proceedings of the MASSACHUSETTS HISTORICAL SOCIETY, beginning with the monthly meeting in April, 1873, and ending with the monthly meeting in March, 1875.

There are five illustrations in heliotype. At page 82 is a French caricature, furnished by our associate, Mr. APPLETON, who communicated some remarks respecting the original engraving. At page 126 are profile likenesses of General Washington and his brother John, from the original silhouettes. At page 191 is a *fac-simile* page of John Adams's Diary relative to the Destruction of the Tea. At page 352 is the Zeno map, taken from an original, belonging to a copy of the Zeno narrative published in 1558, in the library of the late John Carter Brown, of Providence; and at page 405 will be seen a portrait of Governor Gore, taken from the original in the Society's Cabinet.

CHARLES DEANE,

For the Committee of Publication.

BOSTON, 10 June, 1875.



NOTE OF CORRECTION TO THE LUZERNE LETTER

AT PAGES 383-386.

SINCE the printing of the Luzerne letter in this volume, the publishing committee have examined a more recent copy of it, also transcribed from that in Mr. Bancroft's possession, and furnished by Mr. Bancroft himself for publication. By means of this copy some errors and omissions are detected in the transcript which was laid before the Society. The following are noticed, —

On page 384, 8th line from bottom, for "moteur," read *manteau*; so that the translation on p. 387, lines 25 and 26 from top, should read, . . . "to make me a cloak for a correspondence with the enemy."

On page 385, top line, for "bonté," read *louche*; so that the translation on page 387, lines 16 and 17 from bottom, should read, "I will watch his course so closely that I shall hope to discover all that is doubtful in it." The words that immediately follow should read, "As to the rest, I have always encouraged him to be very confiding," &c.

On p. 385, the 2d paragraph should read as follows, the words in italics having been omitted in the Society's copy: "J'ignore combien de temps il doit encore rester dans le Congrès, mais j'ai pensé que vous ne désapprouverez pas que je fisse l'offre de lui continuer, tous les six mois, le prêt que je lui ai fait l'année dernière," &c. The translation, therefore, on pp. 387, 388, should read, "I do not know how much time he has yet to remain in Congress, but I thought you would not disapprove my offer to continue to him, every six months, the loan that I made him last year," &c.

Appended to this copy of the Luzerne letter is the following, which did not appear on the former copy: —

Du Cabinet de Versailles à M. de la Luzerne.

(Extrait.)

27 JUILLET 1781.

Je ne puis qu'approuver, M., les secours pécuniaires que vous avez donnés au Général Sullivan; vous pourrez les lui continuer aussi longtemps qu'il siégera au Congrès et vous en porterez le montant sur l'état de vos frais extraordinaires en évitant d'exprimer son nom.

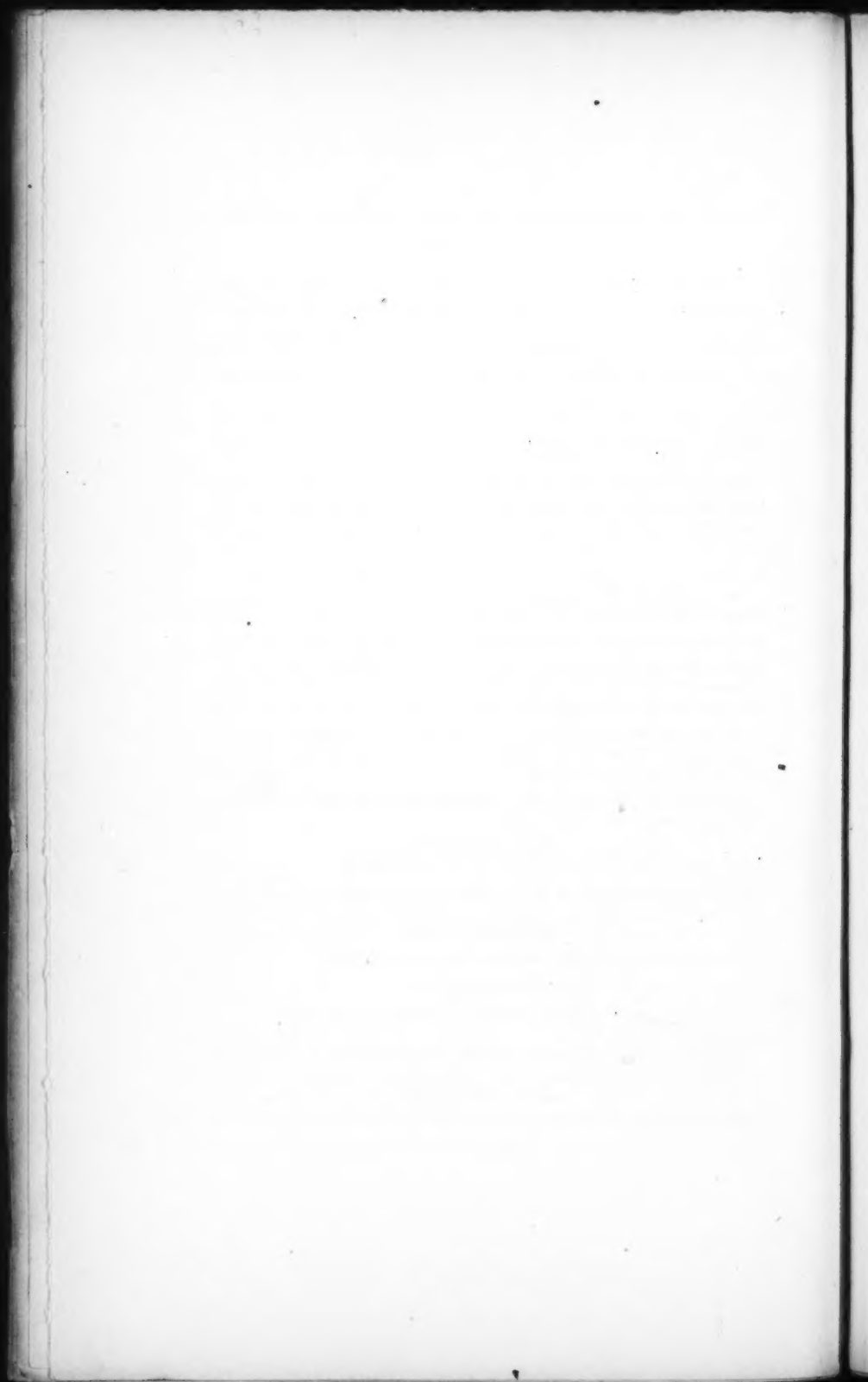
(Translation.)

From the Cabinet of Versailles to M. de la Luzerne.

(Extract.)

27 JULY, 1781.

I cannot but approve, Monsieur, the pecuniary assistance you have rendered to General Sullivan. You may continue it to him as long as he shall sit in Congress; and you will carry the amount to the account of your extraordinary expenses, avoiding the mention of his name.



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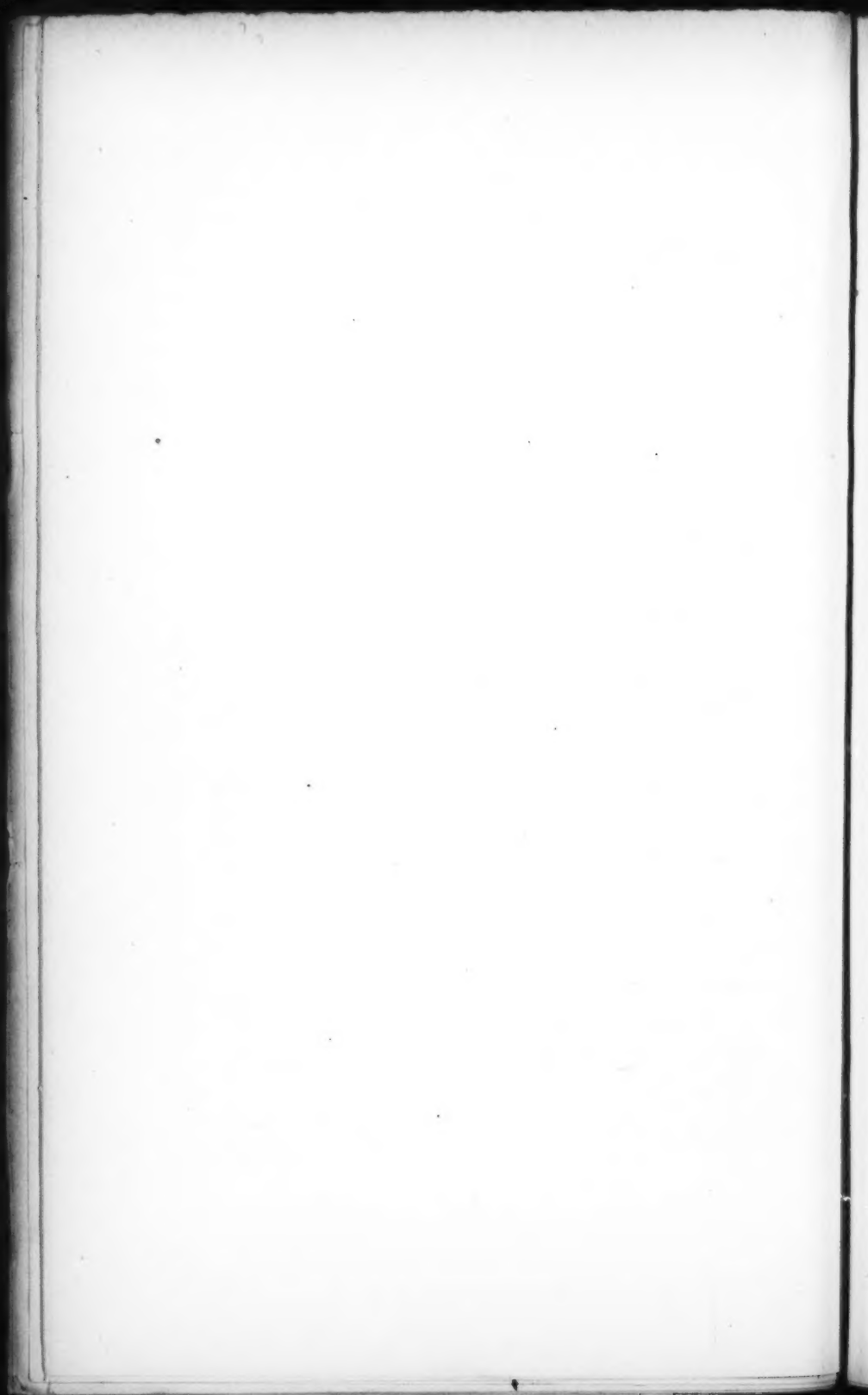
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Resident, Honorary, and Corresponding Members who have died since the publication of the last volume of Proceedings, March 13, 1873; or of whose death information has been received since that date.

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PROCEEDINGS

OF THE

MASSACHUSETTS HISTORICAL SOCIETY.

ANNUAL MEETING, APRIL, 1873.

THE Annual Meeting was held on the 10th instant, in the Society's newly constructed hall, on the old premises, No. 30 Tremont Street; the President, the Hon. ROBERT C. WINTHROP, in the chair.

The Rev. Dr. BLAGDEN opened the meeting with prayer.

The Recording Secretary read the records of the preceding meeting.

The Librarian read the list of donors to the Library for the past month.

The President then spoke as follows : —

I am sure, gentlemen, you will all agree with me that this is an occasion for brief mutual felicitations rather than for formal addresses. You would hardly pardon me, however, if I were to take the chair this morning in silence.

I congratulate you cordially that we are once more in possession of our own building; once more assembled in the Dowse Library; once more surrounded by the beautiful books and memorials of our greatest benefactor; with all the associations which have endeared these apartments to us during the last sixteen years.

A full year has elapsed since we relinquished the occupation of this building, and gave it up to the purposes of reconstruction. We then undoubtedly looked forward to a somewhat earlier return, and some impatience may have occasionally been felt that the work was not more rapidly advanced and sooner completed. But we have no regrets to-day. We are all satisfied that the committee of our Society, who have superintended the changes, have done their whole duty faithfully

and thoroughly, and that they have no share of the responsibility of the delay, if delay there has been, in bringing the work to a successful completion. Our best thanks are due to them all; and I can do no injustice to any one else, by naming Mr. Mason, Mr. E. B. Bigelow, and Mr. Brooks, not forgetting our Treasurer and Librarian, who were associated with them, as those to whom our special acknowledgments are due. They will present their own report in the course of the morning, and I will not anticipate the statements which that report will abundantly contain.

It does not become us to speak too boastfully of what has been accomplished. We may well use the word "fire-proof" with something more of reserve than we might have done before the great conflagration of the 9th and 10th of November last. There may be casualties and catastrophes in a crowded city like ours, against which no precautions can entirely protect us. But it is an unspeakable satisfaction to those who are called officially to watch over these historical treasures, and to myself certainly, as one of them, to know that they are at last secure from all common dangers, and that we have done every thing in our power, even to the extent of subjecting ourselves to the inconvenience of ascending an additional stairway, in order to place the precious books and papers which have been intrusted to our care beyond the reach of ordinary accidents.

It is no small enhancement of our satisfaction that the changes have been made in co-operation with our City Government, whose prompt acceptance of the apartments, provided for such important places of deposit as the Probate Office and the Registry of Deeds, is the best guaranty that no considerations of safety have been neglected in what has been done here.

It is, certainly, not less a matter of congratulation that, costly as the reconstruction has been, the Society has incurred no debt which it may not confidently hope to see liquidated by a persistent application of a part of our income to a sinking-fund for the next fifteen or twenty years. To such a course the good faith of the Society is pledged.

If the result of the whole operation shall be to leave us, for some time to come, with more restricted resources than we could wish, we shall still have a larger income than we have ever heretofore enjoyed; while the very fact of our having made so considerable an outlay for the security of treasures in which the whole community are interested, as well as ourselves, may, it is hoped, commend us to the favor of those whose

generous benefactions are the pride of our City and State, and who are never long wanting to a really worthy cause. Some other Thomas Dowse, some other Samuel Appleton, some other George Peabody, may hereafter appear, to complete the endowments which we so much need. Some other James Savage may remember us, living or dying, and secure a grateful memory for himself, while aiding us to illustrate and perpetuate the history of our Commonwealth and Country.

Well, then, may we enter on the occupation of our renewed apartments, to-day, with hopeful as well as grateful hearts, and look forward confidently to a new term of prosperity and usefulness and honor for the Society which is so dear to us all.

It was just sixteen years yesterday, since we first entered on the possession of the noble library of Thomas Dowse, which is arranged around us again precisely as it was on that day. None of those who were then present as members of the Society can fail to recall the scenes and circumstances of that Annual Meeting. The late venerable Josiah Quincy and James Savage, you all remember, marshalled us into our beautiful room; and they were followed by Edward Everett and Jared Sparks and George Ticknor, by Chief-Justice Shaw and Judge White, by the Rev. Drs. Jenks and Frothingham and Francis, by Nathan Appleton and David Sears, and William Appleton and William Sturgis, by Dr. Joseph E. Worcester, and President Felton, and Nathaniel Ingersoll Bowditch, and by not a few other eminent and excellent men, whom we may look to see no more in the old accustomed seats. We recall them all at this hour with respectful and affectionate remembrance, and feel deeply how hard it has been, how hard it will ever be, to fill the places which they left vacant.

But there is one form which rises before me at this moment, out of the associations of that occasion, which cannot be grouped with any of those whom we have since lost. It stands alone. Eager, ardent, impulsive, full of hope, never tired of labor in any good service,—and least of all in our service,—good, kind George Livermore presents himself before the eyes of many of us at this hour as he did then, with the key of our new room in his hand, from which it was my privilege to receive it, beckoning us forward, and bidding us enter and take formal possession of the library which we had owed in so great a degree to his effective intervention; and adding, in behalf of the late lamented Eben Dale and himself, the executors of Mr. Dowse, a gift of \$10,000 as a fund for its preservation.

To no one of its members has our Society been more indebted than to George Livermore. No one was more valuable to us in every way while he lived. No one has been more missed by us since his death. I should feel that I had omitted one of the first obligations of this occasion, if I had not given some expression to the grateful and tender regard with which we all cherish his memory. His portrait upon these walls must never be displaced.

I must not conclude, gentlemen, without a special word of congratulation, that we return to the same old site which has been so long associated with the labors and the laborers of our Society, and that our windows still look out on so many memorials of the earliest Ministers and Magistrates of our State and City. The first meeting of our Society, in 1791, when there were but ten members, was held at Judge Tudor's house. Before the year of the organization was completed, a room had been obtained in what was known as "The Manufactory House," in Hamilton Place; and subsequent meetings were held in one of the attics of Faneuil Hall. But since the incorporation of the Society, in 1794, it has, I believe, had but two places of meeting. Simultaneously with the Act of Incorporation, "a spacious and convenient apartment for the Library and Cabinet, in Franklin Place," was given to the Society "by the gentlemen who first improved that spot in the town for useful and elegant buildings." So says the printed circular letter which I hold in my hand. It forms a part of my own original certificate of membership, dated 31 October, 1839. It is the only certificate, let me add, which I ever received. I trust my membership will not be disputed, because I cannot produce one of the parchment diplomas, which were introduced at a later day. This certificate, and the circular letter subjoined to it, signed by Thaddeus Mason Harris, were prepared and printed while the Society was still occupying the apartment given to it, in 1794, by Charles Bulfinch, William Scollay, and Charles Vaughan, the projectors of the improvements, of which it formed a part, and which is described in the circular as "over the arched way, in the Crescent, Franklin Place, Boston." These words, however, in my own certificate, were, of course, erased, and the words "over the Savings Bank, Tremont Street," written with a pen; the Society having relinquished that room just six years before my election, and having established itself here.

That old "arched way in the Crescent" has long disappeared, and the magnificent warehouses which replaced it have recently perished in the flames of the great Boston fire.

We may well be grateful that we were no longer within the range or reach of that disastrous conflagration. The Society had occupied that site, if site it could be called, being a suspended arch in whose foundations we had no fee, for thirty-nine years. We have had possession of this site for just forty years.

Let us hope that, in the good providence of God, another term, of at least forty years, may be enjoyed here, by us and our successors, in security. At this hour, certainly, we will contemplate no other removals or changes. Sufficient unto this day is the good thereof. As I look back on the perplexities and discouragements which surrounded us during the whole year which preceded our final decision to do what we have now done, and as I remember the impatience and almost despair of which I was myself at some hours conscious, I cannot but feel that light has indeed sprung up out of darkness, and joyful gladness for such as have the true interests of our Society at heart. It only remains for us to resolve that our future work shall not be unworthy of the opportunities and advantages which have now been so auspiciously opened to us.

Mr. MASON, from the Building Committee, submitted the following report, which was unanimously accepted :—

Report of the Building Committee.

The Committee appointed to superintend the reconstruction of the Massachusetts Historical Society's Building beg leave to report. On entering upon their duties, the Committee found the first business was to ascertain the best means of appropriating the lower part of the building, for purposes of business, so as to obtain the most income for the use of the Society.

The financial condition of the Society made it absolutely necessary that some return should be had from their real property beyond that enjoyed by their own occupation, and the object was to make the arrangement most advantageous to the Society, always having in view the security of our premises, the class of the tenants, and the rent to be obtained.

They soon opened negotiations with the city authorities for the two lower stories, to be occupied by the Probate Office and the Registry of Deeds of the County of Suffolk. After conference and correspondence with the Committee on County Buildings and the Superintendent of Public Buildings, representing the City, an arrangement was finally concluded, by which the Committee agreed to prepare these rooms to the satisfaction of the City, connecting them with the old county offices, by build-

ing over the unoccupied land between the two estates, under an engagement mutually agreed upon and set forth in the lease, as to the respective rights of the City and the Historical Society to the land, and the City to take a lease for fifteen years at a rent of \$9,000 per annum and taxes. That lease was duly executed, by the President and Treasurer of the Historical Society, and by the Mayor, under the authority of the two branches of the City Government, to take effect on the completion of the alterations.

The work of reconstruction was immediately commenced in conformity with the plans prepared by Messrs. Ryder & Harris, our architects. The design of the Committee has been to make a perfectly fireproof building, a condition equally essential to the safe preservation of the records and papers of the county offices, and our own invaluable books, including the Dowse Library, our manuscripts, portraits, and other memorials of the past.

To effect this necessary change, the whole interior of the old building was removed from the cellar to the roof, and built up anew; each story perfectly isolated by floors constructed with iron girders and brick arches. The north wall has been carried fifteen feet above the old structure, creating an additional room for the use of the Society, and forming a protection from fire on that side. The roof, like the floors, is of iron and brick, covered with copper and painted.

The staircases are of iron: the vestibule is isolated from the main building by thick brick walls, connecting with it by iron doors, so that the protection from fire on the Tremont Street side is also believed to be complete. The connection with the old county building, by which the rooms of the Registry of Deeds and the Probate Office are united with our building, is by iron staircases and doors.

The heating apparatus is Walker's system of Steam Radiators, which has been tested extensively in Boston, and is strongly recommended by our architects.

The work on the alterations commenced in April, 1872, and the City were put in possession of the two lower rooms on the 1st of January, 1873, when the rent commenced. The upper part, being the three stories occupied by the Historical Society, was completed January 15, but the books were not replaced until a later period.

The Dowse Library has been restored to its old position, so that the room in which we now meet presents no change in its form or dimensions, a necessity in the alterations which the Committee were obliged to have in view, as it is a collection by itself, in which there is no provision for increase, and

therefore the same space and arrangement had to be provided for. It will be observed that the Committee have taken a little license in the decoration of the room, which they thought not inappropriate to a library so choice, and so worthy from its historical interest of every attention to classical taste; and this they hope will meet with the approval of the Society.

To provide the necessary means for expenditure so large, the Committee under power granted by a vote of the Society, March 14, 1872, negotiated a mortgage for sixty thousand dollars on the real estate of the Society, for five years, at seven per cent interest. The contracts intended to cover the whole work amounted to \$57,071.

Although the building is finished, the last payment is not yet due to the contractors; but it is expected the sum raised by mortgage will, as contemplated under the original estimates, cover the cost of the improvements, with the exception of perhaps some items of no considerable amount, for which provision was not made in the contracts, but which the Committee thought would be for the permanent advantage of the Society.

It is intended that, from the income to be derived from the lease to the City, a sum shall be annually set apart, as a sinking fund, which shall in time pay the mortgage debt, and ultimately leave our building free and unincumbered, and for this purpose the Committee suggest that instructions be given the Treasurer by a vote of the Society.

In conclusion, the Committee desire to return their thanks to the Hon. Francis E. Parker, our associate member, for his valuable services in the preparation of the lease and his consultations with the city solicitor.

ROBERT M. MASON,	} <i>Building Committee.*</i>
WM. G. BROOKS,	
E. B. BIGELOW,	
RICHARD FROTHINGHAM,	
SAMUEL A. GREEN,	

On motion of Dr. ROBBINS, the thanks of the Society were presented to the Building Committee for their valuable services the past year in superintending the reconstruction of the Society's building.

* This was a sub-committee, appointed February 13, 1872, by the general Committee, after the agreement with the City of Boston had been made, with full power to superintend the reconstruction of the Society's building, according to the plans which had been adopted. The names of those constituting the general Committee, appointed by the Society, will be found in the printed "Proceedings."

The President communicated, in the name of Mr. W. C. Rives, a photograph of a tablet to the memory of his father, the late Hon. William C. Rives, a former Corresponding Member of the Society, in the church near his residence in Virginia, with the following inscription:—

IN MEMORY
OF
ONE OF THE FOUNDERS OF THIS CHURCH,
WILLIAM CABELL RIVES, LL.D.,
STATESMAN, DIPLOMATIST, HISTORIAN.
Born 4th May, 1793; Died 25th April, 1868.

Uniting a clear and capacious intellect, a courageous and generous temper, with sound learning and commanding eloquence, he won a distinguished place among the foremost men whom Virginia has consecrated to the service of the country; while he added lustre to his talents by the purity and dignity of his public career, and adorned his private life with all the virtues which can grace the character of husband, father, friend, and Christian.

"Blessed are the dead which die in the Lord."

The President said that he wished it to be a matter of record that he now returned to the Society's Library the original MS., in two parts, of Governor Winthrop's History of New England, which the Society had intrusted to his keeping during the reconstruction of their hall.

He also called attention to a complete set of the official papers relating to the Geneva Arbitration, in 39 volumes, the gift of the Hon. Charles Francis Adams; and a vote of thanks was tendered the donor.

Mr. EDMUND QUINCY, from the Standing Committee, offered the following resolutions, which were unanimously adopted:—

Resolved, That the thanks of the Society be returned to the Trustees of the Boston Athenæum for their kind liberality in permitting the Library and collections of the Society to be placed in their building during the necessary absence from its own, without charge,—an obligation of the highest order, and which the Society will never forget.

Resolved, That the thanks of the Society be presented to the American Academy of Arts and Sciences for their kind permission to the Society to hold its meetings, on several occasions, in the Hall of the Academy, during the necessary absence from its own, and that a cordial invitation be extended to the Fellows of the Academy to do the Society the honor to visit its new quarters at their convenience, and to make use of its Library whenever they may have occasion to do so.

Dr. GREEN, from the committee on moving, submitted the following report, which was accepted:—

The committee on moving the Library have the honor to report that it has been successfully accomplished, and that the books, manuscripts, &c., have all been restored to their proper places. It has been done without loss or damage. The expense of removing from the building last year was \$599.92, and the expense of coming back was \$521.01, making a total of \$1,120.93.

Mr. MASON submitted the following vote, which was unanimously adopted:—

Voted, That the thanks of the Society are due, and are hereby presented, to Mr. Erastus B. Bigelow, for his generous donation of the carpet which covers the floor of the Dowse Library.

Judge PARKER said that he desired, in behalf of Gerhard Gadé, Esq., Consul of the United States at Christiania, in Norway, to present to the Society a translation by Mr. Gadé, of a report of the proceedings of the Society for the Preservation of Norwegian Antiquities, in relation to a ship-tomb recently discovered in a sepulchral tumulus, in the parish of Tune, in Norway; which was remarkable for the evidence which it gave respecting the construction of ships at a very remote period,—in the time of the Vikings.

Consul Gadé is a native of Norway, but he married a most estimable American lady, a native of Maine, and Mrs. Gadé having heretofore been an inhabitant of Cambridge, the Consul had done him the honor to send him a copy of the Translation, which was printed in 1872.

Judge Parker said, that, on examining the paper, he thought it deserving a place among the Collections of this Society, and he had applied to Mrs. Gadé, temporarily residing in Cambridge, to obtain Mr. Gadé's consent that such disposition should be made of it. She had thereupon furnished him another copy for the purpose, which he now tendered to the acceptance of the Society.

Drawings and minute measurements, showing the appearance of different parts of the ship, accompany the report.

The precise character of the original publication by the Norwegian Society, and the interest attached to the paper, would be best learned by a few brief extracts which he asked permission to read.

“We learn from several reports in the Sagas, that during the last centuries of paganism (the younger Iron age or the

Viking period, the period from about 700 till a little after 1000 A.D.) the dead on being laid to rest in the sepulchral tumulus, were not infrequently put in a ship." . . . "Even women were sometimes interred in this manner." . . . "But in all cases which have hitherto come under notice, the ships, as might easily be expected, were so much injured after having so long laid in the earth, that only few traces of them remained."

"A Norwegian tumulus has however lately disclosed a vessel from the younger iron period, which fortunately has comparatively resisted the decay of time. The discovery was made in the parish which has preserved the most remarkable and probably the oldest of Norwegian Runic stones, viz., the parish of Tune, in the amt of Smaalenene."

"The lowest layer of the tumulus proved to consist of stiff potter's-clay, while further up were other kinds of earth. The clay had preserved the wood extremely well, but all that part of the ship which lay above this layer was so entirely destroyed, that not even a trace of it remained. It was therefore best preserved in the middle, where the clay had been thickest, and here only one or two boards seem to have disappeared. But the extremities, especially the southern one, which was last excavated, have suffered much; and only the very lowest part of the prows has been preserved (in the southern end a piece one foot in length and in the northern a piece of four feet). But what remains is however in a tolerably good condition."

"The whole work is executed with evident care and elegance for that period. All the boards are ornamented with mouldings on the edges both inside and outside; there are also mouldings and carved ornaments on the upper side of the ribs."

"The body was buried in the space just behind the mast beam and the spot indicated by small flat wooden blocks, sunk in the clay and laid in a square along the sides of the ship and right across it. Here lay some unburnt bones of a man and of a horse, of which however only a few were preserved. There were also discovered two beads of colored glass, some cloth compactly rolled together, and four small pieces of carved wood, which appear to be fragments of a saddle. Close by part of a snow-skate was found, viz., the middle piece on which the foot rests, with a hole for the strap."

"In the southern end of the mound, at the height of the

vessel's gunwale and still higher, traces of iron utensils were seen at many places, but they were so rusted away, that there was hardly any thing left but some stripes of rust in the earth. Nothing of it could be preserved, and it was only in a few instances possible to make out what it had been. For instance, near the prow at the eastern gunwale of the vessel, the handle of a sword of the form used in the Viking period, was clearly distinguished; nearly opposite on the western side the point of a spear and the boss of a shield seem to have laid. Just where the prow must have been, lay a long heavy lump of iron rust, apparently a fragment of a rolled-up coat of mail."

"The articles found in and near the vessel completely establish, what might have been supposed without their testimony, viz., that one had come on a ship-tomb from the younger iron age."

"The beads and pieces of cloth indicate, that the body was buried with clothes on. By his side a horse and saddle, harness and snow-skates were laid. Thus he had ship, saddle, horse, and snow-skates with him in the sepulchral tumulus."

"We have then here considerable fragments of a vessel undoubtedly belonging to the Viking period." . . . "It is the only vessel, extant, from the Viking period, and as far as is known, the most ancient which has been preserved, with the exception of one in Denmark. Nor is there any probability, judging from previous experience, that there will ever be found another ship from the same period, better or even so well preserved."

The President said that Judge Parker had consulted him respecting the presentation of this paper, and that he had not only approved of his laying it before the Society, but had requested and received another copy, for the Peabody Museum of Archæology, of which he was a member. The details respecting the construction of the old Viking ship were of great interest.

It was voted that the thanks of the Society be presented to Consul Gadé for his valuable translation.

The President said that the reports of the Annual Meeting would now be taken up.

The Reports of the Standing Committee, the Treasurer, the Librarian, and the Cabinet-keeper, were severally laid before the meeting, and accepted. Mr. Mason, from the committee on the Treasurer's account, certified to its correctness. The reports here follow:—

Report of the Standing Committee.

The Standing Committee congratulate the members of the Massachusetts Historical Society on their reoccupation of their own estate, under such favorable circumstances, after a separation from it of more than a twelvemonth. During that period, the building in which we now assemble has been begun and completed in a manner entirely satisfactory to our tenant, the City of Boston, and to ourselves. For this happy result, the Society is under great and lasting obligations to its associates, the members of the Building Committee, Messrs. Mason, Bigelow, Brooks, Green, and Frothingham, for their disinterested and indefatigable labors in conducting this transaction to a fortunate conclusion. To their sound judgment, constant supervision, and good taste, we are indebted for a substantial structure, proof against fire, externally of a simple elegance, and conveniently arranged within for the objects of its erection, which we may hope will answer the occasions of the Society for many years to come. The Building Committee employed Messrs. Ryder & Harris, architects, — the latter of whom is one of our associates, — to furnish the working plans and to superintend the details of the construction. For the particulars of their service and of the cost of the work, the Society is referred to the Report of the Committee, which has just been laid before it.

The Society has much reason for gratitude that its Library and Cabinet escaped the destruction which overtook so many other precious collections by the Great Fire of November 9th, 1872. While they might have been, without any imputation of imprudence, stored in one of the warehouses which were burnt, they were committed, by the kind and generous permission of the trustees, to the safe and free hospitality of the Boston Athenæum, and have thus been preserved to us. The Reports of the Librarian and the Cabinet-keeper will attest the safe and good condition in which they have been restored to their former home. We refer the Society to the Report of the Treasurer for an account of its financial condition after the large investment it has made in this building.

Our monthly meetings have been usually held, during the time of our exclusion from our proper hall, in the room No. 41 Tremont Street, hired for the purpose, and which sufficiently answered the occasions of our ordinary business. Several of our monthly meetings, as well as our last Annual Meeting, were held, by the kind permission of the Academy, in the Hall

of the American Academy of Arts and Sciences. By the hospitable invitation of several of our associates, we have held social reunions at their private residences, on one of which occasions, at the house of Mr. John Amory Lowell, we had the pleasure of meeting our eminent Foreign Honorary Member, Mr. James Anthony Froude, the historian, who said that his satisfaction in meeting with us was the more because this was the first learned body that had given him the encouragement of any recognition of his claim to notice as an author.

At the last Annual Meeting, we announced that the question between the Commonwealth and the Society as to the rightful division of the Hutchinson Papers was in a fair way of adjustment through the agreement of both parties upon Professor Henry Adams as umpire. In consequence of the departure of Professor Adams for Europe, it became necessary to select a substitute in his place. After a good deal of difference of opinion on the subject, the Attorney-General and the Committee charged with the matter, with full powers, have agreed upon Robert S. Rantoul, Esq., of Salem, as an umpire between the Commonwealth and the Society, to whose impartiality and good judgment both parties could safely intrust their interests.

At the last Annual Meeting, the Committee were able to state that no death of any Resident Member had occurred during the year 1871-72. We have no such cheerful statement to repeat this year. Within the last twelve months we have had to record the deaths of four of our Resident Members, the Rev. Charles Brooks, Mr. Charles Folsom, the Rev. John S. Barry, and our oldest member and former President, the Hon. James Savage. This venerable gentleman, a member of sixty years' standing, and so long identified with all the interests and action of this Society, died on March 8th, in his eighty-ninth year, and was buried from the church in Arlington Street, on the 11th. His funeral was attended by a large delegation of our number. Mr. Savage was not forgetful of the Society he loved so well and had served so long, when making the final disposition of his property; and he has remembered us in a liberal legacy. The deaths of these gentlemen were duly noticed by the Society at the time they occurred, and full memoirs of them will appear in due time in our "Proceedings."

The vacancies caused by the loss of these members have been filled, with the exception of that occasioned by the death of Mr. Savage. Our full number of one hundred members, save one, is now complete.

During the past year, we have lost by death four of our Corresponding Members, Dr. Francis Lieber, Mr. George Catlin,

Mr. J. Francis Fisher, and the Baron Charles Dupin; and we have added three to that list, M. d'Avezac, the Hon. E. T. B. Twisleton, and Col. J. L. Chester.

All which is respectfully submitted for the Standing Committee.

EDMUND QUINCY, *Chairman.*

Annual Report of the Treasurer.

The Treasurer of the Massachusetts Historical Society submits the Annual Report for the year closing April 8, 1873:—

Cash in hand, April, 1872	\$587.49
Received from all sources to April, 1873	51,837.71
	<u>\$52,425.20</u>
Cash paid during the financial year	\$52,085.34
In hand April, 1873	339.86
	<u>\$52,425.20</u>

The General Account will show specifically the finances of the Society:—

GENERAL ACCOUNT.

DEBITS.	
George Arnold, salary and allowance	\$1,049.99
Incidental expenses	831.05
Coal	261.38
Printing	50.00
Rent of office	378.00
Interest to Merchants Bank on loans	423.76
Edward S. Rand, service	168.55
Insurance	63.90
Tending boiler	99.00
Peabody Fund, printing	505.79
Storage of book-cases, &c.	161.00
On the contract for rebuilding	48,000.00
Expense of moving	592.92
To the credit of the Appleton Fund	732.18
Massachusetts Historical Trust-Fund	321.06
Peabody Fund	1,142.81
Dowse Fund	600.00
	<u>\$54,881.39</u>
CREDITS.	
Balance of account of 1872	\$862.66
Assessments and subscriptions	1,505.00
Admissions	20.00
Note receivable of G. Arnold	199.92
Interest of G. Arnold	11.49
Sales of Society's publications	298.49
Proceeds of the Peabody Fund	1,142.81
Coupons	160.00
Trustees of the estate of Eben Francis, on loan	48,500.00
To the debit of the Dowse Fund, for care of library	600.00
Peabody Fund	505.79
Balance	1,075.23
	<u>\$54,881.39</u>

THE APPLETON FUND.

This fund consisted of ten thousand dollars presented to the Society, Nov. 18, 1854, by the executors of the will of the late Samuel Appleton, on the condition that its income be applied to the purchase, preservation, and publication of historical material. It was received from the executors in ten shares of manufacturing stocks. These stocks were sold in February and March, 1863; and the net proceeds, amounting to twelve thousand two hundred and three dollars, were invested in the real estate of the Society, according to the Declaration of Trust recorded in the Register of Deeds office, book 827, p. 63. On the 14th of March, 1872, the Society, by a vote, authorized the Treasurer to sign, and cause to be recorded, an instrument relinquishing the said Declaration. This instrument was signed April 13, 1872, and is recorded with Suffolk Deeds (Lib. 1,102, fol. 89). A new Declaration of Trust was then made, which is on file, giving similar security to the investment. Volumes three to ten inclusive of the Fourth Series of the Society's "Collections," and the first volume of the Fifth Series, were printed from the income of this fund, and the strictly historical portions of the volumes of the "Proceedings" of the Society for 1862-63 and for 1864-65.

Account ending April, 1873.

DEBIT.

Balance advanced to the fund	\$3,509.28
	<u>\$3,509.28</u>

CREDITS.

One year's interest of the investment	\$732.18
Balance to new account	2,777.10
	<u>\$3,509.28</u>

MASSACHUSETTS HISTORICAL TRUST-FUND.

This fund was originally two thousand dollars, presented to the Society by Hon. David Sears, by an instrument dated Oct. 15, 1855, and accepted Nov. 8, 1855. This provides that the income is to be added to the principal annually between July and January, to form a new investment; but in any year before such investment, the Society may, by vote, expend the income for such purposes as may be required; or it may, by vote, expend the accumulation of the income, in whole or in part, towards the purchase or improvement of the premises belong-

ing to the Society, "or in the purchase of works of art or desirable objects": provided that, in no case whatever, "the original trust-sum be encroached upon or diminished."

The original sum of two thousand dollars was invested in the Society's building. The principal was increased on the 26th of December, 1866, by a subscription by David Sears and Nathaniel Thayer, of five hundred dollars each, according to the terms of the original instrument, which has not been invested. This, with the two thousand dollars, stands on the ledger as an obligation of the Society, making the principal three thousand dollars.

Pursuant to a vote of the Society, five hundred dollars was paid July 5, 1869, from the accumulation, towards paying off the debt incurred by the purchase of the estate owned by the Society. No other expenditure has been made from the accumulation.

Account ending September 1, 1872.

DEBIT.

Balance to new account	\$2,672.12
	<u>\$2,672.12</u>

CREDITS.

Balance of old account	\$2,351.06
Interest one year on \$2,351.06, accumulated income . . .	141.06
Interest one year on \$3,000 of principal	180.00
	<u>\$2,672.12</u>

According to the terms of the trust, the whole of the accumulated income may be appropriated, by a vote of the Society, "to the improvement of the premises belonging to the Society"; hence the sum of \$2,672.12 may now be appropriated for this purpose.

THE PEABODY FUND.

This fund was presented to the Society by George Peabody, in a letter dated Jan. 1, 1867, enclosing an order for \$20,000 in 10-40 Coupon Bonds, and providing that they, or their proceeds, shall be held by the Society as a "permanent trust-fund, of which the income shall be appropriated to the publication and illustration of their 'Proceedings' and 'Memoirs,' and the preservation of their Historical Portraits." This trust was accepted by a vote of the Society, Jan. 10, 1867. The Coupon Bonds have been exchanged for two United States 10-40 Bonds of \$10,000 each, registered in the name of the Society, dated

to sign a note for this amount. It was found necessary, in order to do this, for the Society to "relinquish or rescind" the Declaration of Trust, as mentioned in the account of the Appleton Fund. When this was done, the President and Treasurer, April 17, 1872, signed a mortgage of the real estate to Robert M. Mason, Samuel W. Swett, Joel Parker, and J. Ingersoll Bowditch, trustees under the will of Eben Francis, for \$60,000, agreeing to keep the property insured for not less than \$21,000. They also signed a note for \$60,000 payable in five years, at the rate of seven per cent, payable semi-annually. The building is insured for \$25,000, as follows: one-half in the Royal Insurance Co. of Liverpool, and one-half in the Insurance Co. of North America, Philadelphia. The policy runs for five years, and is payable, in case of loss, to Robert M. Mason and others, trustees under the will of Eben Francis.

The President and Treasurer signed a lease to the City of Boston, of portions of the basement, and the entire first story and second story of the building, with the exception of the stairway enclosed, for fifteen years. The rent is \$9,000 per annum, payable quarterly. The lease also contains an agreement between the City and the Society, relative to the occupancy of the "small parcel of land" owned by the City, which the easterly end of the building covers. The lease was formally completed May 11, 1872. The lessee agrees to pay "all taxes and assessments whatsoever, whether in the nature of taxes and assessments now in being or not"; but assessments in the nature of a betterment are excepted, and definite provisions named respecting them. The building was so far completed, that the rent commenced on the first day of January, 1873.

The property of the Society is as follows: the real estate on Tremont Street; two United States bonds of \$10,000 each (\$20,000); a coupon note of the Hannibal and St. Joseph Railroad of \$1,000, and a bond of the Quincy and Palmyra Railroad of \$1,000; about seven thousand volumes of the Society's publications (namely, forty-one volumes of the "Collections," nine volumes of the "Proceedings," two volumes of the "Catalogue," and one volume of "Lectures"); the Library of 16,470 volumes, and over 36,000 pamphlets; the Dowse Library of 4,650 volumes; and the copyright and plates of the "Life of John Quincy Adams."

The income of the Society consists of an annual assessment on each Resident Member of seven dollars, the admission-fee of ten dollars, the rent of the building, the interest on the Peabody Fund and on \$2,000 bonds.

The obligations of the Society are the annual interest to the Appleton Fund, to the Dowse Fund, and to the Massachusetts Historical Trust-Fund, and the interest on its mortgage note. After these obligations are met, there will be means left to resume the publication of the "Collections," and to pay off a portion of the debt annually. But, in view of the immediate wants of the Society, I recommend the printing, this year, to be limited to the publication of the Proceedings.

The Society owe the amount borrowed of the Merchants Bank, namely, \$1,800 on two bonds, and \$2,500, on a note signed by the President and Treasurer. The liberality of the members in their subscriptions, in lieu of the annual assessment of seven dollars, has enabled me to meet the demands on the treasury.

The bills for fitting the rooms have not all been presented, nor have the Building Committee settled with the contractors. Hence a complete statement of the cost of the improvements must be deferred.

Respectfully submitted.

RICHARD FROTHINGHAM, *Treasurer*.

Boston, April 8, 1873.

Report of the Librarian.

The Librarian has the honor to submit his Annual Report. There have been added to the Library during the past year:—

Books	245
Pamphlets	786
Bound volumes of newspapers	30
Unbound volumes of newspapers	2
Map	1
Plans	3
Broadside	25
Volume of manuscript	1
Manuscripts	12
	<hr/> 1,105

Of the books added, 223 have been given, 22 have been procured by exchange, and 7 bought. Of the pamphlets added, 717 have been gifts, and 69 exchanges. Of the Society's publications, 2 volumes have been exchanged for other works, and 19 volumes have been received back by purchase. It is reckoned that there are now in the Library, including the Dowse collec-

tion and the files of bound newspapers and manuscripts, 21,120 volumes. The number of pamphlets is more than 36,000. The accessions have been fewer than usual, though many of them are of decided value. This falling off is due, of course, to the removal and storing of the Library while the new building was erecting. During these changes, so far as is known, no volume has been lost or injured. At the present time the books are all placed on the shelves. In conclusion, the Librarian cannot refrain from congratulating the Society on having its invaluable treasures in a convenient and fire-proof building.

Respectfully submitted.

SAMUEL A. GREEN, *Librarian.*

Report of the Cabinet-keeper.

The Cabinet-keeper reports that during the past year the Cabinet has received gifts from twelve different persons, three of whom are members of the Society; and has also received the bequest of General Sumner, comprising portraits, articles of antique furniture, and other curiosities.

The Cabinet was safely removed, stored during the alteration of the building, and returned.

A large number of the Society's collection of portraits have been hung under the superintendence of Messrs. Perkins and Appleton, for whose help in this matter the Cabinet-keeper is greatly indebted. A portion of the relics and curiosities have been replaced in the cases formerly occupied by them; but much larger accommodation is needed for their permanent arrangement and for the display of articles hitherto concealed, when the Society shall be fairly settled in its new quarters.

It seems to the Cabinet-keeper very desirable that such accommodation should be furnished soon in as accessible a part of the building as possible, and under the eye of the person in charge of the rooms, for the greater security of the many valuable articles now owned by the Society, and the many others that it may reasonably hope to receive when prepared to take charge of them.

Respectfully submitted.

HENRY G. DENNY, *Cabinet-keeper.*

Mr. SOLOMON LINCOLN, from the committee appointed to nominate candidates for officers for the ensuing year, reported the following list, which was adopted by the Society: —

President.

HON. ROBERT C. WINTHROP, LL.D. BOSTON.

Vice-Presidents.

HON. CHARLES F. ADAMS, LL.D. BOSTON.

HON. EMORY WASHBURN, LL.D. CAMBRIDGE.

Recording Secretary.

CHARLES DEANE, LL.D. CAMBRIDGE.

Corresponding Secretary.

REV. CHANDLER ROBBINS, D.D. BOSTON.

Treasurer.

HON. RICHARD FROTHINGHAM, LL.D. CHARLESTOWN.

Librarian.

SAMUEL A. GREEN, M.D. BOSTON.

Cabinet-keeper.

HENRY G. DENNY, A.M. BOSTON.

Standing Committee.

REV. ROBERT C. WATERSTON, A.M. BOSTON.

HON. NATHANIEL B. SHURTLEFF, M.D. BOSTON.

AUGUSTUS T. PERKINS, LL.B. BOSTON.

ROBERT M. MASON, Esq. BOSTON.

WILLIAM S. APPLETON, A.M. BOSTON.

On motion of Mr. SALTONSTALL, the thanks of the Society were voted to Messrs. Quincy and Hillard, the retiring members of the Standing Committee, for their valuable services the past year.

Dr. ELLIS wished to add a few words of congratulation on the occasion and upon the scene which he saw before him. He observed that upon the printed list giving the names of the members of the Society, in the order of their election, there were now only two names preceding his own, though the large majority of those who came after were his elders in years. He had had the honor and privilege of membership for thirty-two years, during which period the membership had been almost completely changed. In the eighty-two years of the Society's history there had been less than three hundred members altogether. This was the third aspect under which he had seen their rooms, and he welcomed this second renovation which gave them these spacious, beautiful, and he hoped fire-proof, halls. Their first aspect, as he recalled it, was dingy enough. In the early years of the Society, it appears from the records that it received many gifts of objects more or less interesting, as nat-

ural curiosities, — plants, insects, birds, &c., supposed to be in a state of "préservation."

These, continued Dr. Ellis, either from neglect or from their succumbing to the law of things earthly, turned to dust, and a musty odor from them once pervaded the apartments. That faithful and honored man, that diligent and earnest antiquary who then served us as Librarian, being a member of the Society, and therefore substantially held to our usage which forbids us to receive any compensation for service performed for it, felt at liberty to open or close the apartments according as it was or was not convenient for him to sit here and pursue his own studies. His urbane and courteous manners were in keeping with the old gentilities. His inartistic wig seemed to be one of the antiquities of the place. Indeed, I remember that our genial associate, Dr. Young, sought to impose upon my green inexperience, by suggesting that it might have been appropriated by the wearer from one of our cabinets. There was an old drum stove, called air-tight, and we used to think sometimes it was also heat-tight. Chief-Justice Shaw asked, in those days, if the resources of the Society would enable it to purchase three more wooden chairs. The change made sixteen years ago for the reception of the Dowse Library was the first improvement, and under the present cheerful and delightful aspect of the rooms they might hope to enter upon a new period of prosperity. The resuscitation of the Society was to be dated to the time of the election of the present President; and the remarkable discovery, a few years later, of that immense trunk of "Winthrop Papers," which had lain undisturbed and unopened for more than a century, had furnished us with materials of the very highest historical value. The volumes which have already been printed from that rich collection have thrown new light upon some of the most important points of our early history, and added much to our personal knowledge of some of the men and women concerned in it. New facts had therein been disclosed to us relating to the founding of the College. The remarkable though fragmentary papers thus furnished to us by our President from his ancestral stores, read at a recent meeting, with the explanatory comments of our Recording Secretary, Mr. Deane, gave us for the first time, after the lapse of two hundred and forty years, information of the details of the controversy between Roger Williams and the Government of the Bay Colony. Those abbreviated minutes of the matter of an old alarm and anxious strife have confirmed me in the opinion which I have long held, that though Roger Williams, as he

mellowed in years, became an old man of a singularly lovely and amiable character, he was in his prime a dangerous intruder and an agent of mischief; and that, of the two, Governor Winthrop, besides being a man of a better balance and a superior discretion, was also the more tolerant in spirit, and the more forbearing and patient of the disputants.

May our new members, from this time onward, with our new promise of prosperity, and our new materials for their labor, contribute their full share to the accomplished services of this Society.

The following letter was received the day after the Annual Meeting, but it seems to find a fitting place here:—

EDGEHILL, near Charlotte C. H., Virginia,
April 7, 1873.

DEAR MR. WINTHROP,— Unless I am mistaken, you will meet for the first time in your new Hall at your next meeting, and I congratulate you and your learned associates most heartily on so auspicious an event. It will also be your annual meeting, which is, even on ordinary occasions, a starting-point in the course of such an institution as yours. You thus enter with favorable auspices and with blended influences on a new scene of usefulness and honor. Should it be the will of Providence to spare the lives of your present members for ten or fifteen years to come, the result of your labors will be a most valuable accession to our historical literature.

I read with unflinching interest the serials of your "Proceedings," as they issue from the press. From my habits of research, and from the necessity of getting materials from every available quarter, I am, perhaps, better qualified to appreciate the worth of the contents of each serial, and to award them their peculiar merit, than the mere cursory reader, who seeks only the amusement of the moment. As I read the number, I mark with a pencil facts and opinions that may be useful to me hereafter, and the pages are well scored as I pass along.

The memoir of John Singleton Copley, by Mr. Perkins, is a very handsome contribution to the history of American art. The paper on Governor Winthrop's "Conclusions" shows the deliberation with which important topics were managed in his day, and is in strong contrast with the rapidity with which the gravest state papers are dashed off in ours. The tribute to the memory of Mr. Seward, by Mr. Adams, is a remarkable production. It is the photograph of the inner man of a prominent political leader in a great crisis, made by one who had the most favorable opportunities of knowing his subject, and who shared with him the responsibilities of the times; and the contemporaneousness of the sketch with the decease of its subject enhances its value. It is wholly immaterial to the worth of such a portrait whether you agree or dissent from the subject or the speaker. It is

enough that you have a true image of the character as it exists in the mind of an able and intimate associate, who is also a skilful artist.

The death of Mr. Folsom I learned for the first time from the serial of December. Your own remarks in introducing the topic, the graphic and genial letter of Dr. Palfrey, and the observations of Dr. Lothrop, which, beside other good things, presented a fine instance of decision of character in the deceased at a critical moment, brought fresh before me the person and the presence of this excellent man and liberal scholar, as I saw him more than once during my visit to Boston, in 1867. His modesty was quite conspicuous, and even lovely. The maxim which unconsciously ruled his life was that long ago adopted and acted upon by Lord Somers, bespeaking a mind conscious of its powers, yet quite willing to leave the ordinary game of life in the hands of the regular players, — *prodesse quam conspici*, — a maxim which few have the self-command to act upon, and which betokens the existence of a catholic humanity. He was not willing to let a single act of courtesy slip from his memory; and I recall the kind feeling with which he showed me some books presented to him by Virginia students in Harvard half a century ago.

I can also bear witness to the warm affection which the late Admiral Farragut cherished for Mr. Folsom. Passing through New York, on my return from my New England visit, I called on the ladies of the Admiral's family, whom I have known from their childhood, and there I met the Admiral; and when I was speaking of the persons whom I had seen in New England, he inquired with the deepest interest whether I had met with Mr. Folsom; and when I told him that Mr. F. was one of the first whom I had seen, and the last, with the exception of my excellent host, with whom I had parted, he seemed evidently excited, gave me an account of his early connection with Mr. F., and expressed himself in very strong terms of his influence in controlling the destinies of his life. He then left the room, and after a short interval returned with a Turkish dirk, sheathed in a massy carved silver scabbard, which he said Mr. Folsom had given him in his earliest youth, and which he regarded as the most precious memorial that he owned.

When I saw Mr. Folsom, he had passed the period of the Psalmist, and was the model of a septuagenarian. His stature was erect, his step elastic; and his clear complexion, his eyes yet unaided by glasses, his serene and even buoyant spirits, the readiness with which he would enter into a discussion of the true reading of a line in Horace or Homer, appeared to me to foreshadow a long and genial Indian summer, which, when accompanied by the blessings of friendship, by a moderate competence, and by the free play of all the faculties, is probably the most delightful portion of our earthly existence. There must be something wrong in your domestic economy, or in the deportment of the study, when such men as Everett and Folsom, who entered in such fine condition upon the threshold of threescore years and ten, fail to reach the age of eighty-one.

Before I saw Mr. Folsom, I had looked over his edition of Livy.

and was well aware of his skill in letters; and during my first interview I ventured to lay before him a new reading of the famous thirty-fourth line of the first book of the Iliad, and I was gratified to know that, after a free and full discussion, he condemned the modern version of the line, and approved mine. I remember hearing him say on that occasion that he had passed the very route of the priest of Apollo on leaving the tent of Agamemnon, and felt, in common with the priest, the gentle murmur of the waves breaking at his feet.

I also read eagerly your remarks on the death of George Catlin. In 1829, at the age of thirty-two, he visited Richmond, with a view of taking a picture of the Virginia Convention of that year, then in session. I soon learned that he was not only an artist of great worth, but a man of a good taste in letters. As he did not know the political and intellectual characters of the members of a body consisting of ninety-six members, I gave him my aid in the fulfilment of his designs, introduced him to the members whom I brought to his studio, and had the pleasure of seeing his work fairly completed. It was his purpose to issue an engraving of the painting, and I was one of those who subscribed, and obtained the names of others; but I believe the scheme was dropped. I should like to know the fate of his painting. It would be very interesting now, as but four of the Convention are at present living. His portrait of Mr. Madison was by far the finest and the most intellectual ever made of the Sage of Montpelier. Had a portrait of equal excellence been made of Mr. M. thirty years before, its political influence must have been considerable. I heard the late Governor Coles, who was the intimate friend and secretary of Madison during his Presidency, give it more than once as his deliberate opinion that the portraits of Madison by Peale and Stuart had a sinister influence on his popularity, as not only not presenting to the eye a true likeness of the original, but producing a most erroneous impression on the mind of the spectator. I never met with Mr. Catlin after the adjournment of the Convention. It may be well enough to say that the portrait of Mr. Madison painted by Catlin is in the possession of one of the literary societies of Hampden-Sidney College, in this State.

But I have detained you too long, and will only renew my congratulations on the entrance of the Society into its new Hall, and assure you of that regard with which I am ever cordially yours,

HUGH BLAIR GRIGSBY.

To the Hon. ROBERT C. WINTHROP, LL.D.,
Boston, Massachusetts.

The Memoir of the late Charles Folsom, by Professor Parsons, was submitted to the Society.

MEMOIR
OF
CHARLES FOLSOM.

BY THEOPHILUS PARSONS, LL.D.

HE was born in Exeter, N.H., on the 24th December, 1794. His parents were James Folsom and Sarah Gilman, both of Exeter. He was fitted for college at Phillips Exeter Academy, of which Dr. Benjamin Abbot was then principal; entered Harvard College in the Sophomore class, in 1810; taught a school in Sudbury, Mass., through the winter vacations of the college, in the winters of 1811-12 and 1812-13; and was graduated in 1813. He had at Commencement "A Deliberative Discussion" with W. J. Spooner. It was the fifth part in rank.

After graduation he went, at the instance of President Kirkland, who had been applied to by Dr. Benjamin Vaughan of Hallowell, Maine, to take charge of the academy in that place, and remained there one year. In the autumn of 1814 he came to Cambridge to study divinity as a Resident Graduate, and gave private lessons during two years. He was also a Proctor in the college, and in 1815 was appointed Regent. In the winter of 1815-16 his health was not good, and he gave up the plan of studying for the ministry. In 1816 he made arrangements for the study of medicine, in Cambridge.

In the spring of 1816 President Kirkland proposed to him to go out as chaplain and teacher of mathematics to the midshipmen in the 74 gun-ship "Washington," then about to sail on a cruise in the Mediterranean. The President had been requested by Commodore Chauncey to recommend some young man for the situation, and Mr. Folsom accepted this appointment. In the autumn of 1817, after he had visited many European ports in the Mediterranean, he was appointed *chargé d'affaires* of the Consulate at Tunis, by Mr. William Shaler, Consul-General of the Barbary States. Mr. Thomas D. Anderson had resigned the consulate at Tunis, and Mr. Folsom was

appointed to hold the office until a successor to Mr. Anderson should be sent out. Soon after his arrival at Tunis the plague appeared there and raged with great violence, and Mr. Folsom remained in charge of the consulate until late in 1819.

After leaving Tunis, he rejoined the squadron, and was appointed by Commodore Bainbridge his private secretary, and accompanied him to Turkey, whither he went on a mission to obtain information which was needed in the preparation of a commercial treaty between that country and our own. In 1820 he was sent to Rome, to take on board Canova's statue of Washington, made for the State of North Carolina. He then returned to the squadron, and came with it to Boston, in 1821.

Soon after his return he was appointed Tutor in Latin in Harvard College, and held that office until 1823. He was then appointed Librarian of the college, and resigned that office in 1826. In 1825 and 1826 he was also Instructor in Italian; and in 1824 engaged with William Cullen Bryant in editing "The United States Literary Gazette."

In the autumn of 1824 he married Miss Susanna Sarah McKean, daughter of Rev. Joseph McKean, Professor of Rhetoric and Oratory in Harvard College.

In the same year he engaged with the firm of Hilliard & Metcalf, proprietors of the University Press, to correct the proofs of classical works published by them; and, after giving up the office of Librarian in 1826, he devoted his time wholly to the examination, correction, and partial editing of the more important works issued from their press; and soon after he became a member of their firm. In 1835 he edited, with Mr. Andrews Norton, the "Select Journal of Foreign Periodical Literature." In the autumn of 1841 he removed to Boston, and opened in Temple Place a school for young ladies, and taught it until the winter of 1845. He was in that year appointed Librarian of the Athenæum, and held this office until 1856. I need not attempt to describe his excellence and usefulness as the Librarian of that great Institution; for the following resolutions, adopted unanimously by the Trustees, do him full justice, and no more than justice:—

1. *Resolved*, That the Trustees of the Boston Athenæum have received with sincere regret the resignation of Mr. Charles Folsom as Librarian,—an office which he has held for more than ten years, performing the various and difficult duties of the place with devoted fidelity, and securing thereby the respect and affection not only of the Trustees, but also of numerous proprietors and visitors of the Athenæum.

2. *Resolved*, That Mr. Folsom's extensive and varied learning, his refined taste and good judgment, the dignity and urbanity of his manners, his kind regard for the wants of all who use the Library, and the enlightened zeal for literature and the fine arts which he has shown in the discharge of the duties of his office, have not only been highly creditable to him as a gentleman and a scholar, but have redounded to the honor of the Athenæum, and have gained for it the good will and the generous gifts of many patrons of learning; and have entitled him to be remembered not only as a useful officer, but as a benefactor of the institution.

3. *Resolved*, That Mr. Folsom's letter of resignation, and the resolutions relating to it, be entered upon the records of the Trustees; that the Committee be requested to communicate the same to him, with the best wishes of the Trustees for his future success and happiness; and in their behalf to invite him to visit the Athenæum at his pleasure, and to take from the Library, free of expense, the usual number of books allowed to a proprietor.

About the time of his appointment he wrote to his intimate friend, the late Samuel Atkins Eliot, a long letter concerning the preservation, management, and use of a public library. It is full of good sense, gives the results of his own experience and observation, and in delineating the character of a consummate librarian he unintentionally draws a portrait of himself. Of this letter a few copies were printed for private circulation, but it has never been published. I give it a permanent and available place by inserting it in this Memoir, the more willingly because it will, in some degree at least, enable the reader to judge of Mr. Folsom's characteristics as a writer.

TEMPLE PLACE, 27th October, 1845.

MY DEAR SIR, —

Our conversation, the other day, respecting the Athenæum, has revived a train of thought on the general subject of that institution, its nature, and the *right mode of administering it*, which has formerly passed through my mind, when I have speculated upon it merely as a humble member of the literary community of New England, and lately as a citizen of Boston. The view I have been in the habit of taking, I know, is far from being peculiar to me; but it is, I apprehend, not so generally entertained as could be wished, — at least, it has not been acted upon to the extent I have supposed possible, and highly proper. If I had ever had the right which proprietorship may be supposed to give, I should, before now, have expressed my opinion with urgency, from an impulse of public spirit. As it is, you will please to consider what I now say as a sort of *confession of faith*, should the matter ever have more of a personal relation to myself.

I. The Athenæum contains a great *public library*. This is no longer, if it ever were so, merely a "social library," in the usual sense of the term, for the exclusive benefit of the shareholders. Such, probably, was not the idea of the more enlightened among its founders; such could hardly have been the idea of those who from time to time have made donations of books, or of those larger *benefactors* to whom that name is commonly restricted. They meant the community. I regard the shareholders, and doubtless the majority of them regard themselves, as *donors* to the amount of their subscriptions,—with certain consequent privileges, it is true,—and also as *trustees* for the present public and for posterity. With this liberal view, I suppose many of the recently created shares were taken.

Since the establishment of the Lowell Lectures, and the opening of the Athenæum to any one for ten dollars a year, I have looked upon the two institutions as fitting counterparts to each other. The philosophical curiosity and love of intellectual pursuits awakened by the one—and not much more can be expected from oral popular lectures—should find their appropriate aliment and fruition in the books of the other. The two certainly constitute one of the most precious parts of the name and fame of Boston.

II. The Athenæum contains a repository of the Fine Arts; and, as to this branch, by its exhibitions it professedly seeks the whole public. Should not the other branch of the institution be made to incline as much as possible in the same direction?

III. We have, then, in Boston a great Public Library,—a magazine of mind,—

"Mente,
Delle cose custode e dispensiera."

How shall it be administered? The poet suggests the aptest division of this topic.

1. Its treasures should be *guarded* from age to age with scrupulous care. The beauty of order should pervade their arrangement. The books should be kept in perfect condition as to their binding; and the appropriate binding and lettering of books often involve knowledge and taste enough to bring them within the outer circle of the fine arts. The custodian should have a *respect* for books, and seek, by his example, to inspire others with it. Books in the shops are manufactures, merchandise,—and cost so much. In a fair library, good books are shrines, oracles,—great minds marshalled in glorious companies, uttering the wisdom of past ages, or of an age that will soon be past.

My temperament is not eminently poetical, and I have had much to do with the mechanical manufacture of *volumes*; but I honor the man whose mind readily transmutes a goodly *book* into an *author*. I shall never forget the awe, the emotion, akin to the sublime, with which, when declining day had left me in dim twilight in the old Library at Cambridge, I have passed along by the alcoves, as if in the immediate

presence of the illustrious dead; and when, on some rare occasion, I have gone alone, late in the evening, to seek a book, with no light but the halo around saints and sages, the feeling was almost overpowering. Had I been one whom we wot of, you would long since have heard another solemn and tender "Voice of the Night."

All this means only, that a library is a *sanctum*; and whatever relates to the *keeping* of the books, and the preservation of due quiet, should be the *subject of precise rules*, which, in the *most courteous spirit*, should be enforced when necessary; and any odium arising therefrom in the minds of unreasonable people should be assumed by the Trustees, to whom the Librarian is immediately responsible. But odium will be slow to arise, if I am right as to the moral effect to be expected from what I shall next speak of, which, I am alarmed to say, is the main point of this unconscionable epistle. But I will be brief, and, omitting all mention of exact catalogues and similar appliances of the first necessity, I come to —

2. The duties of a Librarian as the *dispenser* of a great Library. The office of *custodian* has, so far as I know, always been satisfactorily performed at the Athenæum. Not so, I believe, the other branch of a Librarian's duty. By *dispensing*, I am far from meaning only the finding of the particular volumes asked for, or the recording of the titles of such as are borrowed. I mean quite another ability in the Librarian, — an ability to "bring forth, out of the treasure" committed to him, "things new and old." He should be passably skilled in ancient and modern languages; should be acquainted with the history of literature; should know the external history of books, and have some notion of their contents, understanding at least their scope and bearing, so as to be able readily to follow out subjects, and to put inquirers upon the right track. To many, the very multitude of books is confusing, and days of research are lost in a wrong direction, which a few words from an intelligent Librarian might at once prevent. If I may allude to my own experience, he will account it a great privilege to abridge the labor of superior minds, whose time is precious to the public, by his *local* knowledge, as I may call it; and he will delight to point younger persons to the best books on any subject in a course of reading; thus aiding the two classes, — consulters and regular readers. With the latter this city abounds, or should be made to abound: this is a *domestic* affair, the training of our own young people, to say nothing of solacing the old. The former class is still larger, and wide-spread as the country, including authors and professional men, who are writing books for fame, or pursuing inquiries for some practical end.

Now, I would say, let the Athenæum take the ground, that the former class are to be *allured* to consult its Library; let it be generally understood and proclaimed, not only that its stores are accessible for this purpose, but that a competent person stands ready, as the *organ of the liberal spirit of the Bostonians*, to aid in making them available for the promotion of knowledge throughout the land (under the proper

regulations, of course). Let every scholar, not residing fairly *within the liberties of Boston* (for to such as do must generally attach the payment of scot and lot), feel that, without money and without price, he is welcome, nay, more, that he is thankworthy, if, in the prescribed way, he takes any thing from you which he thinks he can turn to the good of the public. For all the seed-corn you lend, your granary, like the widow's barrel of meal, "shall not waste," but rather shall be increased by a portion of the harvest springing from your bounty. Let the far-off student in the Valley of the Mississippi, who is vainly hammering at some literary task for want of books, and ignorant perhaps as to the existence of the best books on his subject, understand that, when he comes North in the summer, if he will present himself at the Boston Athenæum or Harvard University, he may chance to clear off a year's docket of doubts in a single day. The Athenæum or Harvard, I say, — *Aganippe* or *Hippocrene*, — for both were fountains on Mount Helicon, and both consecrated to the Muses.* Every Préface which acknowledges their assistance adds a feather to their plumes, or, better, sets a signet to their value.

The people of other communities say that Boston, in her vanity, has assumed the title of "the Athens of America." If it is worth having, let us make them ratify it, and shout, with a heartfelt application, "*Τόπος ἐστὶν Ἀθήνας!*" "Let us go to Boston," "our minds to ripen in her northern sky." But in Athens, of all places, hospitality was not left entirely to the kindness of individuals: it was recognized as a matter of public concernment. If the altered condition of modern society dispenses us from the necessity of caring for the supper and lodging of the strangers who voluntarily visit our city, or are accidentally detained here, we still have a duty to perform by doing all that we can to make their sojourn agreeable and profitable to them. Nor is this duty abridged by the new position of Boston, from which she all but shakes hands with the Old World, and now interlocks arms with Canada and the Provinces. I here speak of strangers merely as such. Men of mark make their own way. But there are other "guests of the city" than those who come to the notice of the Mayor; quiet, unpretending, intelligent persons, who cannot claim, or do not care to seek, private attentions. If you have ever been so circumstanced as to be *obliged to wait* in a foreign city, without letters and without acquaintance, you may have had occasion, as I have, to bless the courtesy of libraries exhibited in the cosmopolitan spirit I recommend, by scholars willing to consider the mere pursuit of knowledge as a bond of brotherhood, and a title to kindness. And here is the place to say, that the Librarian of the Athenæum should be competent, in some sort, to hold intercourse with those who do not speak English, and to conduct, when necessary, a foreign correspondence.

* *Cotton Mather* would not have forborne to run the parallel a step further, — as, that they were just about *three miles* apart, *Hippocrene* being somewhat the more elevated; and he would have deemed it a pleasant remark, that, after mingling and diffusing their waters in the *Copaic Lake*, they together nourished the *largest* cels in all Greece! — facts duly vouched.

In confirmation of some of the preceding remarks, I may be permitted to add that, more than twenty years ago, I had some agency in urging successfully upon the corporation of Harvard College the laws (which I was to execute), throwing open the Library to all comers, with the implied assurance of welcome and aid. Among the good consequences of this change of system, may be fairly reckoned, in a great degree at least, the increased research on the part of many of our authors of all sects, with an increasing sense of its importance, and hence more thoroughness in their works;—a desire to enlarge the apparatus which had proved so useful to them, and grateful acknowledgments borne out by donations of books;—in fine, whatever dissatisfaction may at any moment have been expressed in relation to other parts of the University, unmingled blessings upon *the Library*.

IV. The Athenæum is to be notably increased within no long period. How, or from what source, I know not.* But it is hardly to be believed, that the end of opening new and larger halls will be only a display of empty shelves. Such a result would be unprecedented in this community. Boston is pledged to the contrary.

Now, the judicious increase of a public library is a grave study. Completeness is to be aimed at in some departments more than in others, at least sooner than in others. What *are* the departments of learning? What is *completeness* in regard to them? The Librarian should, at all events, be able to *understand* the answer to these questions; and he should, moreover, have a notion of the contents of the other learned libraries in the neighborhood, that all may, to a certain extent, conspire to produce in the aggregate a completeness which no one of them can hope very soon to attain for itself. Each may well be distinguished by some peculiar features, as the Athenæum now is by works on the arts. Again, it is far from being true that the latest edition of a book is the best.† But all may be summed up in this, that Bibliography is no mean science.

V. If the Librarian has also in his province the works of art, then he should not be ignorant of the history of art, its ancient monuments, and modern masterpieces. The wider has been his observation of other collections, and the more cultivated his taste, the better. If he need not have the artist's faculty, yet neither is the guardian of ideal beauty, like the Sultan's Nubian, qualified for his trust by constitutional indifference towards the subjects of it.

* N.B. — The Bromfield Fund was not then dreamed of.

† A pregnant instance of this just occurs to me. The latest edition of Lord Bacon's Works (an American one), "complete" on the titlepage, omits his "*De Augmentis Scientiarum*," his maturest and, perhaps, largest production (the growth of twenty years, and of which the author fondly says, "I think it will live and be a *citizen of the world*"), under the preposterous idea, founded only on the similarity of the titles, that it is merely a Latin translation of his earlier, brief "*Advancement of Learning*," in *two* books; while, in fact, it consists of *nine* books, being "enlarged," as Bacon expresses it, "*almost to a new work*." Yet the preface of the publishers ventures to hope that their edition "will find its way into every *well-selected* library in our country;" and probably before this time it has become *the* Bacon of most College Libraries in the United States, — a "complete" Virgil without the Georgics!

With works of art may be classed coins and medala, though a far higher interest belongs to them, considered as the subjects of the Science of Numismatics, a study at once elegant and useful. Of ancient manuscripts, rare even in Europe, we shall probably continue to see next to none on these western shores. They are wisely kept at home. But the most ancient as well as most authentic original records of the Grecian and Roman world are within our easy reach. Still there is not, I believe, in the United States, a reasonably complete series of these irrefragable documents of ancient history; her unambiguous foot-prints,—like those of the great birds in stone,—from which are made unerring inferences, and by which is settled what is doubtful or discordant in written documents, necessarily vitiated, more or less, in the process of copying.

Having many years ago studied this subject abroad with the aid of foreign collections, and having, indeed, formed a decent one of my own in barbarous regions, once seats of civilization, in part from the hands of the actual finders (myself a finder, too), on my return I had the pleasure of making a descriptive list of the coins of the Salem East India Marine Society (afterwards printed, I think, in their catalogue). I was thus led to inquire what there was among us of the sort, and to become acquainted with most of the scanty collections in this vicinity. The Athenæum has made a fair beginning; and there is no reason why it should not go on, and soon have the finest Cabinet of Coins in the country,—*conveniently arranged for study,—for use.* The series in silver and copper might, at no great expense, be rendered nearly complete, without the coins of extraordinary rareness and consequent costliness. The value of such is often factitious (virtuosos being prone to the foible of tulip and shell fanciers), as they have not necessarily greater intrinsic interest as to usefulness or beauty. Besides, the genuineness of well-preserved, not uncommon, coins is less liable to suspicion, and is easily determined by a practised eye; for their well-known abundance and cheapness make it no object for the most skilful counterfeiters to imitate them. Thus the Librarian, as Cabinet-keeper, though he need not be an Eckhel or a Sestini, should add to his other knowledge a tincture, at least, of *virtù*.

VI. If such, then, as I have described, is the appropriate office of a great Library in a city, which, like ours, is a centre of wide and elevating influence throughout a vast country,—and if such are the qualifications requisite in a person fit to administer it,—*he should receive a salary proportioned to the pay of other learned professions, and suitable for a scholar and a gentleman.* He should have an *honorable position*, should feel that, in the able discharge of his duties, something more than his bread is at stake, and should identify his *reputation* with the best interests of the institution. There is absurdity in saying, "Get your work done *cheap*, and buy the more books." The well-performed work of a Librarian worth having *brings* "more books:" he refunds his salary in part in this way.

If a great Library were about to be founded here *de novo* with one

hundred thousand dollars, what intelligent person would hesitate to say, "An investment for the adequate pay of a suitable Librarian should take precedence of, or at least be simultaneous with, the first considerable investment in books?"

The Librarian should be in the counsels of the Trustees, except where it would affect his responsibility to them; should be encouraged to suggest as well as execute; should have aid enough to prevent a sacrifice of his higher functions to his lower; should have sympathy from the Trustees as well as oversight; and should be reckoned with at short intervals, for frequent quitances beget alacrity in carrying forward any work of responsibility.

VII. Having undertaken to utter my whole mind on this subject, as one of general interest, I will not be withheld, by any fear of being misapprehended, from expressing my settled conviction that *now* is the time to act upon it. The Athenæum, before long, is to be transferred to a new edifice, and begin a new era. Whoever is to take proper charge of it there should have full opportunity to become thoroughly acquainted with it, in its details, as it is, — with what it has, and what it wants. He should prepare himself to superintend wisely its removal, and to afford, if it may be, valuable suggestions as to the interior arrangements of the new building, — a matter of the greatest prospective importance. It is natural to suppose that the Committee, on whom will rest the responsibility of preparing the new and permanent abode of the Athenæum, will be business-men, — gentlemen of more public spirit than leisure; and that they may be glad to have their gratuitous labors seconded, sometimes perhaps not a little relieved, by the aid of a competent person giving his whole time and thoughts to the business, and carrying out the details of what they decide upon.

Nor, as to worthy persons now employed in the Athenæum, would early action imply any harsh and violent breaking up of existing arrangements. It should be regarded as an easy and natural transition resulting from a change of circumstances. The institution is judged to have outgrown its vestments; new and better-fitting are provided, of course. To lay aside an *outgrown* garment casts no reflection on its past usefulness, nor upon its present value for other purposes.

I sat down, my dear Sir, to write you a letter, and it has swelled almost to a dissertation, — of an oddly variegated web, I confess. But I am sure of your indulgence for whatever there may be in it little to the purpose, if I have succeeded in giving shape to any views that may be turned to practical account for the real advancement of "The Boston Athenæum."

Truly your friend and servant,

CHARLES FOLSOM.

To SAMUEL A. ELIOT, Esq.

In March, 1869, he had an attack of paralysis, from which he so far recovered as to be able to walk freely in the open air, with some assistance, enjoy the society of his friends, and occupy himself with books. In the latter part of January, 1872, he had a second attack of the same disease, under which his strength gradually yielded.

He died on the evening of the 8th of November, 1872.

Mr. Folsom lived the uneventful life of a scholar, marked by no uncommon circumstance, if we except the episode of his consular service on the southern coast of the Mediterranean. There was, however, connected with this service one peculiar and interesting incident. One of the youngest of the midshipmen who were Mr. Folsom's pupils was Farragut. He was deeply interested in his studies and in his teacher, and a universal favorite; and when Mr. Folsom left the ship, young Farragut begged so hard to go with him, and continue his studies under his care, that leave was granted, and they remained together until they returned on shipboard. In after years Farragut was never weary of acknowledging, in private and in public, how much he owed to the care, instruction, and influence of the "young Yankee Pastor," as he called his friend and tutor. At the close of the late war, when Farragut came to Boston, loaded with honors, as soon as he had obeyed the calls of etiquette and ceremony, his first visit was to his old friend. Cordially was he welcomed, cordially did he reciprocate the deep and tender regard he met with. Ever after while he lived, the visits of Mr. Folsom were among those which he most sought and most enjoyed. I will add, for the mention of the circumstance is due equally to the Admiral and to Mr. Folsom, that during this visit to Boston the Admiral gave him a magnificent silver vase. This vase has on the front this inscription:—

To
C. Folsom
from his old friend and pupil,
D. G. Farragut, Vice-Admiral,
Sept. 12, 1865.

On one side is engraved the United States ship "Erie," giving the salute to C. Folsom (the representative of the consulate of the United States), who is about landing at Tunis, and is in the boat with Midshipman Farragut, with the words,—

Off Tunis.

On the other side another ship engraved, with the words. —

*United States Ship Hartford,
Capt. P. Drayton,
Bearing the flag of
Vice-Admiral Farragut,
1864.*

These engravings were made from sketches drawn by the Admiral himself for the vase.

Whether we consider Mr. Folsom intellectually or morally, he was a peculiar, and, though I would avoid overstatement, I am justified in saying, a remarkable man.

Endowed with far more than usual ability, he early acquired habits of industry which never failed him. His knowledge of classical literature was extensive and accurate. He was well acquainted with the principal languages of Southern Europe, especially the Italian; and had studied many branches of science. He had a strong tendency to, I may say a passion for, exact and minute accuracy. Here lay his strength and his weakness. I call it so, for it certainly obstructed his practical usefulness. When he undertook to correct the productions of the University Press, then the principal publishing house of valuable works in the United States, it was thought that his knowledge, skill, and care made this precisely the place in which he could be most useful and successful. It was not so. He aimed at impracticable perfection. No book passed through his hands without labor upon its pages sometimes exceeding that of its author; and it would go forth at last, with an excellence due largely to the corrector of the press. But it was another result of his excessive care that the press was arrested, and compositors and printers waited, while he was spending days or weeks in verifying words or statements, or guarding against the possibility of error, in respect to questions too minute to require or to repay such labor.

When at a later period he was employed to assist in the publication of Worcester's great Dictionary, the same determination to exhaust on all points every possible means of information made it practically impossible to profit by his labors. When it was shown to him that at the rate at which he advanced the book could not be published in that generation, this made no difference with him. He could not do otherwise. There seemed to be a want of perspective in his mind, which prevented his giving to questions the relative place or magnitude which belonged to them. For he appeared to think that

the nearest possible approach to perfection was due to every thing which passed through his hands.

He was, however, fortunate enough to find an occupation which utilized this peculiarity of character without permitting it to do mischief. Some of our best and most eminent authors submitted their works to his critical examination. They could place in his hands their manuscripts or proofs, certain that no error in style and no doubtful expression could escape his notice. And, while profiting by his minute and exact accuracy, they exercised their own judgment upon any correction or alteration which he suggested. I may mention Quincy, Norton, Sparks, Palfrey, and Prescott, among those who cordially acknowledged the assistance which in this way he rendered to them. I may add, as to books not strictly professional, my own humbler name; and the list might be largely extended.

He was constantly called upon to prepare or assist in the preparation of inscriptions; for he had as true a gift for this kind of composition as a poet has for writing "in numbers." This gift he was invited to exercise on small and great occasions; from a motto or inscription on a carving or vase intended as a gift of honor or of friendship, to a mural tablet or a monument to the dead. His productions of this kind were simple, graceful, full of meaning, and faultless in construction. In 1846 he was called upon to prepare inscriptions for monuments to be erected to three of the Presidents of Harvard College, whose remains lie in the old Cambridge burying-ground,—Dunster, Willard, and Webber. He furnished the following:—



HENRICUS. DUNSTER

PRIMUS. COLLEGII. HARVARDINI. PRÆSES
 VIR. PIETATE. DOCTRINA. PRUDENTIA. INSIGNIS
 OBIIT. SCITUATÆ. AN. M.DC.LIX.
 HUC. TRANSLATUM. EST. CORPUS
 UT. QUOD. ILLE. IN. VOTIS. HABUERAT
 PROPE. ACADEMIAM. A. SE. TUM. NUTRITAM. IN. CUNABULIS
 EX. RE. FAMILIARI
 TUM. RITIBUS. DISCIPLINIS. LEGIBUS. INSTRUCTAM
 REQUIESCERET
 MONUMENTUM. HOC. INIURIA. TEMPORIS. DIRUPTUM
 SOCIJ. ÆTERNUM. ACADEMIÆ. DECUS. CURANTES
 REFIICIENDUM. JUSSERUNT. AN. M.DCCC.XLV.

JOSEPHO. WILLARD. S. T. D. LL.D.
 Collegii. Harvardini. Præsidi. XIII.
 Biddefordiae. In. Provincia. Manensi. Nato
 Abavi. Simonis. De. Republica
 Proavi. Samuelis. De. Collegio
 Bene. Merentium. Æmulo
 Novæ. Bedfordiæ. Mortuo. An. M. DCC. IV. Ætatis. Sux. LXVI
 Viro. Integerrimo. Strenuo. Docto. Pio
 Theologiæ. Astronomiæ. Et. Græcarum. Literarum. Apprime. Perito
 Ecclesiæ. In. Beverleto. Pastori. Fidelissimo
 Qui. Quum. Tutor. Primum. Ac. Socius. In. Academia. Fuisset
 Postremum. Eandem. Dum. Incommodis. Belli. Recentibus
 Elanquescerat
 Suscipiens. Erexit. Sanis. Instruxit. Disciplinis
 Et. Tanta. Cum. Gravitate. Candore. Benignitate
 Per. XXIII. Circiter. Annos. Administravit
 Ut. Egregiam. Apud. Omnes. Sibi. Comparavit. Opinionem
 Senatus. Academicus
 H. M. Ponendum. Curavit.



Hic. Situs. Est

SAMUEL. WEBBER. S. T. D.
 Præses. Collegii. Harvardini. XIV.
 Byfieldiæ. In. Agro. Essexiensi. Natus
 Vir. Probus. Gravis. Mitis. Sedulus
 Doctrina. Ac. Pietate. Insignis
 Qui
 Quum. Tutor. Primum. In. Academia. Fuisset
 Inde. Per. Annos. Circiter. XVII.
 Mathematicas. Disciplinas. Summa. Cum. Laude. Professus. Esset
 Atque. Tandem. Ad. Gubernacula. Sederet
 Subita. Eheu. Morte. Correptus
 Decessit. Meritis. Quam. Annis. Cumulatio
 An. M. DCCC. X. Ætatis. Sux. LI.
 Hoc. Monumentum
 Senatus. Academicus. P. C.
 An. M. DCCC. XLVI.

I have selected for examples these inscriptions from the many which he made, in part that I may indulge myself with

quoting from a letter about them, written to him by his friend, Mr. S. A. Eliot, to whom I have already referred, and who was then Treasurer of the college.

"I have read over your inscriptions with great admiration of the skill and discrimination you have shown, and the felicity with which you have said pleasant things without flattery. Dunster's is a beautiful and satisfactory composition. Willard's, however, is the masterpiece of the three. There is a glow and freedom about it, a spirit of patriotism and a spirit of reverence, which are quite delightful."

A few years ago a workman on a road near the harbor of Castine, in Maine, found a piece of sheet copper, about eight inches by ten. Observing some marks and numbers upon it, he gave it to an intelligent gentleman in Castine, Mr. George H. Witherle, who sent an exact copy to our Mr. Charles Deane, who referred it to Mr. Folsom. Almost every word in the inscription is abridged, and many were indicated only by an initial letter. But Mr. Folsom's thorough knowledge of the language of inscriptions enabled him to restore and complete the whole in a manner which commended itself to our best scholars as unquestionably accurate. The plate thus read imports that, "in the year 1648, on the 8th of June, Friar Leo of Paris, in the mission of the Capuchins, laid this foundation in honor of the Virgin Mary, under the title of Our Lady of Holy Hope." The foundation was undoubtedly the corner-stone of some structure, and probably of a church or chapel.

The Capuchins were a branch of the Franciscans. No English or American writer of New England history has noticed the existence of a mission of Capuchins on the territory of Maine. There are, however, references and allusions in the Jesuit "Recitals," and in some histories of Catholic efforts at Christianizing the Indians, which may be understood as relating to this Mission.

I may here mention one of Mr. Folsom's literary discoveries, for so it may be called. Our national motto, *E Pluribus Unum*, has been much discussed. Many guesses have been made as to its inventor or author; and much excellent criticism expended in proving that it was bad Latin; or rather that it had a meaning wholly inappropriate to its use as the motto of this country, inasmuch as when translated, according to the rules of the Latin language, it meant "one selected out of many," and not "one composed out of many." Mr. Folsom in his literary wanderings came upon the phrase. He found that Virgil was the author of this bad Latin. It occurs in a pleasant little poem regarded as his by the best critics, and printed in the best editions of his works. It is called "Mo-

retum," which word means simply a "salad." In it Virgil describes in most harmonious verse a Roman farmer coming home from his labors, and directing his servant, a negro woman, — who is portrayed with exceeding vividness and truth, — to prepare his dinner. The servant goes to work, and Virgil gives us an admirable recipe for a salad. He enumerates all the ingredients she used, and tells us the order and the manner in which they were used. When all are in the dish,

"It manus in gyrum; paulatim singula vires
Deperdunt proprias; color est e FLURIBUS UNUS."*

I may also mention here another of his gifts to literature. He found in a very rare work, of which he had picked up a copy, that the famous mediæval hymn, "Dies iræ, Dies illa," had been sadly shorn of its original proportions. It is known by the name which I give to it above, because it is always printed as beginning with the stanza of which these four words form the first line. In 1865 Mr. Folsom stated, at a meeting of this Society, that "this grim and terrific offspring of the piety of the Middle Ages had been shorn, in later times, of its first four stanzas, as appears from one of the earliest copies of it, inscribed on a marble tablet in the Church of St. Francis, at Mantua. This inscription was printed in that rare and curious book, 'Variorum in Europa Itinerum Deliciæ,' by Nathan Chytræus, 1594."

As these four lost stanzas appear to me as well worthy of preservation as those which form the hymn as it is commonly written, and as they have not, so far as I know, been printed since Chytræus put them in his book, which is now almost inaccessible, I give them below: —

"Quæso anima fidelis,
Ah, quid respondere velis,
Christo venturo de cœlis,

Cum a te poscet rationem,
Ob boni omissionem,
Et mali commissionem?

Dies illa, Dies iræ,
Quam conemur prevenire,
Obviamque Deo ire

Seria contritione,
Gratiæ apprehensione,
Vitæ emendatione."

* Since this memoir was reported to the Historical Society, the writer has found that Mr. Folsom's claims to the first discovery of this origin of our national motto are open to question. He mentioned it at a meeting of the Society in Sept. 1862. But the 3d vol. of the Historical Magazine, of New York, in August, 1853, contains a communication from Baltimore, signed B. M., quoting the line from Virgil, and referring the motto to it.

Mr. Folsom was chosen a Fellow of the American Academy of Arts and Sciences in 1827, and he was also a member of the American Antiquarian Society. He was a constant attendant at the meetings of both these societies, and often added to their interest and value from his stores of varied information. At the annual meeting of the latter, in 1859, at their Hall in Worcester, he read a very interesting Report of the council, which he had prepared as a member of that body. In this Report he displayed signal ability, alike in treating of the history, character, and purpose of the society, of the best way of enlarging the usefulness of its library, and of the peculiar duties of the librarian, — a subject in which he was thoroughly versed, — and in the discriminating sketches which he gave of members who had deceased within the year. These were Dr. Henry Bond of Philadelphia, Dr. Samuel Willard of Deerfield, and Alexander Humboldt.

In this last mentioned memoir, for it deserves that name, while touching upon the many remarkable points in the life and character of Humboldt, he dwells at some length upon his early travels in South America, his constant interest in this continent, and particularly his careful and thorough investigation into the character and the discoveries of Amerigo Vespucci; and the probability — not yet a certainty — that Vespucci did reach this continent before Columbus, while it is certain that they both died in the firm belief that they had arrived at the coast of Asia.

During many of his later years he had a project which partly his fastidiousness and partly his other engagements prevented his carrying into effect. He proposed to make a book, to be called "The Companion to the English Dictionary." The name tells its intended character. His purpose was to consider in it doubtful phrases, the construction of sentences, and the proper way of using words and forms of language of which only one way could be the best. Such a work as he could have written, had he been content with attainable excellence, would have been an invaluable assistant to every writer of English.

Let me now speak of him in reference to his moral characteristics. Here, as before, if I find a weakness, it is a virtue carried to excess. He was, if such a thing be possible, too disinterested. Always ready to leave any occupation of his own or interrupt any leisure, if a friend or a stranger offered him an opportunity of being useful, he seemed to think and to care for every one but himself. I knew him well for half a century. I believe it may be truly said that no one ever had

a sweeter temper or a more gentle and generous disposition ; for this was scarcely possible. Always putting the best construction upon every thing, and throwing the light of his own kindness over every person, he was almost unable to take offence, and wholly incapable of retaining resentment.

He was a member of the Social Club to which reference is made in the Memoirs of Jared Sparks, William H. Prescott, and Charles G. Loring. Formed in 1818, with accessions within one or two years thereafter, it numbered twenty-five ; and it still continues, with but four of its members living. During this long period, he was, while his health permitted, a constant attendant. Among so many young men, growing from youth to age, with an intimacy which cast off all reserve, occasional collisions were inevitable. But from Folsom no one ever heard a word or saw a look or sign of offence or unkind feeling, however momentary.

His life had its share of vicissitudes and disappointments. But through them all he was always the same. In all his relations, as husband, father, friend, his kindness was warm, constant, and unselfish. No one ever knew him refuse a favor which it was in his power to grant ; or think first of himself, when the question was whether he should benefit himself or another.

In the fulness of years he has passed away. But he will live in the memory of those who knew him, not only as a cultivated and accomplished scholar, but as a thoroughly good man.

MAY MEETING, 1873.

A stated meeting was held on Thursday, the 8th of May, at 11 o'clock A.M. ; the President in the chair.

The Recording Secretary read the records of the preceding meeting.

The Librarian read his monthly list of donors to the Library.

The Corresponding Secretary read a letter of acceptance, as a Corresponding Member of the Society, from Colonel Joseph L. Chester, of London.

The President read a letter from the executive authorities of the State of New Hampshire, requesting permission to take copies of several portraits of former Governors of that State in the Society's Cabinet.

Leave was granted for copies to be made, the portraits not to be removed from the Society's building.

The President spoke of the decease in New York, on the 6th instant, of John Romeyn Brodhead, Esq., a Corresponding Member. He was born on the 2d January, 1814, graduated at Rutgers College in 1831, was Secretary of Legation at the Hague in 1839, and while there was appointed by Governor Seward, in 1841, to procure copies of original documents in the archives of Holland, France, and England, to illustrate the History of New York. He spent three years in this labor. The papers were published by the State, under the editorship of Dr. O'Callaghan. From 1846 to 1849 Mr. Brodhead was Secretary of Legation to Mr. Bancroft, in London. On his return he began his "History of New York," the first volume of which was published in 1853, and a second in 1871. They were valuable additions to the history of our country, and the death of their author before the completion of the work is deeply lamented.

The President presented, in the name of Mrs. Joseph Coolidge, a miniature, by St. Memin, of Meriwether Lewis, for two years Private Secretary of President Jefferson, and the companion of Captain William Clarke in the memorable exploring expedition across the continent to the Pacific ocean. Lewis was afterward Governor of Louisiana Territory. There is a Memoir of him by Mr. Jefferson, published in connection with the narrative of the exploring expedition, prepared by Nicholas Biddle and Paul Allen. He was born in Virginia in 1774, and died in 1809. The thanks of the Society were ordered for the gift

He also exhibited a picture in miniature of Governor James Bowdoin, believed to have been painted by Copley.

The President also called attention to an interleaved Almanac (Thomas's) for 1791, with notes by its former owner, Dr. John Eliot, an original member of this Society. Its present owner, Mr. John F. Eliot, had called the President's attention to the following memorandums in it, which were read:—

"Historical Society met at Col. Tudor's house Jan. 24, and chose their officers."

"Jan. 26. Mr. Lowell spoke an eulogium upon Mr. Bowdoin, President of the Am. Academy of Sciences."

"April 9. The Historical Society met at Mr. Sullivan's."

"June 30. A meeting of the Historical Society."

(December) "21st day. The Historical Society met at their room."

"24. Evening at Judge Sullivan's."

(Wednesday Evening "Social Club," *passim*.)

Mr. WATERSTON said that Mr. Eliot, the present owner of this Almanac, had many others, interleaved and annotated in like manner, and that he once expressed to him an intention of finally depositing them in the Library of this Society.

Attention was called to a book, presented by J. S. Fay, Esq., entitled "Words and Places," &c., by Isaac Taylor, M.A., "London, 1873,"—referred to by him in a letter read at the February meeting.

The President read a letter from Mr. Robert S. Rantoul, arbiter relative to the "Hutchinson Papers," saying he was ready to meet the Committee of the Society whenever it should be agreeable to them.

Dr. ELLIS, from the Committee on the "Hutchinson Papers," said that he would address a note to Mr. Rantoul, appointing a day to meet him at the Society's rooms.

The Hon. Benjamin R. Curtis was elected a Resident Member.

The President read a letter from our associate, Judge Endicott, communicating for the Society's Library the "brief" of a law case between Lynn and Nahant, which involved some interesting historical questions connected with our earliest Colonial Period, on which the courts had not before decided.

Our associate, the Hon Caleb Cushing, through Mr. Brooks, presented a manuscript volume, finely illustrated with engravings, of the genealogy of the Cotton Family, prepared for Mr. Cushing by the late H. G. Somerby, for which the thanks of the Society were ordered.

A copy of Spelman's "Relation of Virginia," recently printed from the original manuscript, formerly in possession of Dawson Turner, Esq., of England, and presented by its present owner, Mr. J. F. Hunnewell, of Charlestown, was laid on the table, for which the acknowledgments of the Society were ordered.

An anecdote related by Dr. Ellis brought up an inquiry as to the days on which certain anniversaries (including what was formerly called "Negro Election Day") were celebrated in Boston, there being some difference of opinion among the members.

Dr. SHURTLEFF stated that the election day which acquired the name of "Negro Election Day" was the General Election Day, on which the General Court of Massachusetts assembled and chose its officers, including, in colonial times, the Governor, Deputy-Governor, and the Assistants. This day by the Colonial Charter occurred on the last Wednesday in Easter Term. As this term ends the Monday after Ascension Day, which comes on Thursday, election day would fall on the day before Ascension Day, which would vary from year to year, happening sometimes as early as the 29th of April, and sometimes as late as the 2d of June. By the Provincial Charter, the General Election Day occurred on the last Wednesday of May, and so continued from May, 1693, to the adoption of the Constitution of Massachusetts. By the Constitution the same day was established, and continued until the year 1832. This was one of the principal holidays in Massachusetts until the change of the day was made to the first Wednesday in January; the others, in Colonial and Provincial times, before the Declaration of Independence, being Commencement Day at Harvard College, and the Anniversary Day of the Artillery Company. From time immemorial the negroes (servants and apprentices) had the General Election Day for a holiday; and in Boston were allowed to have the unmolested use of the Boston Common, with an equality of rights and privileges with the white people. Persons, whose knowledge of Boston and memory of events extend back more than fifty years, will undoubtedly remember very vividly the transactions and enjoyments of that gala day, when persons of all ages, complexions, and tongues, gave themselves most freely and unrestrainedly to their will and inclinations. The sessions of the General Court were generally adjourned so as to make more than one session each year; and after the adoption of the State Constitution there were two regular sessions, one in winter and the other in summer. When the day of assembling of the legislature was changed to the first Wednesday of January, the two sessions

were held together as one. The Annual Training Day and Muster occurred in May; and after the change of Election Day from May to January, the Muster took place on the old election day in May. On the first Monday in June, Artillery Election Day, annually occurred the anniversary parade and election of officers of the Artillery Company (now known as the Ancient and Honorable Artillery Company), when the colored people were proscribed, and were not allowed by the whites to appear on the Common, but were hooted and driven from it with reproaches, insult, and force. It was on "Artillery Election Day," in the year 1817, that the great calamity occurred in Boston Harbor, when the negro boy, William Read, "blew up the ship" called the *Canton Packet*, owned by the Messrs. Perkins. The boy had been allowed to go on shore on General Election Day, but was not permitted to leave the vessel on Artillery Election Day. The old taunt, which was thrown to every negro on this day, is fresh in the memory of persons who have lived half a century: "Who blew up the ship? Nigger. Why for? Because he could not go to 'lection and shake paw-paw." The game of Paw-Paw, or props, was played with four small shells, known to naturalists as the *Cypræa Moneta*, and was one of the gambling games much practised by the boys of Boston. This day is now a gala day in Boston in consequence of the annual parade of the Artillery Company, and the commissioning of its officers on the Common by the Governor, who keeps up the old ceremony of "taking his seat" in an arm-chair provided for the purpose, in a tent called the Governor's Marquee.

On the fourteenth day of July, annually, the blacks in Boston celebrated the commencement of the measures for the abolition of the slave trade, by a procession, discourse, and dinner. The discourse was delivered by a prominent clergyman, and all the proceedings were conducted in an eminently orderly and respectable manner on the part of the colored people, although the whites made the whole affair one of ridicule and fun, calling the day "Bobalition Day," publishing a burlesque handbill with mock descriptions of the processions and dinner, and pelting the procession with rotten oranges and eggs, and otherwise insulting the blacks. Of late "Abolition Day" has not been publicly observed in Boston, yet the recollection of the parade has not entirely been forgotten.

The President then remarked that we had the best classical authority for the idea, that it was sometimes allowable to indulge in a little trifling; and, in the absence of any graver matters, he would venture to present an old copy of verses which he

had found among his family papers, and which proved that no less distinguished persons than the members of the Royal Society of England had followed the well-remembered maxim of Horace, — *Dulce est desipere in loco*. The lines were addressed to Dr. Hans Sloane, the founder of the British Museum, who succeeded Sir Isaac Newton as the President of the Royal Society, by some one of his contemporaries, and probably one of his colleagues, who had been making a foreign tour, and whom Sir Hans had asked to bring him back any curiosities he might meet with in his travels. It does not appear, from any thing contained in these doggerel lines, that the writer had crossed over to our side of the Atlantic; and there is thus nothing specifically American in the wonders described in them. But they give a humorous idea of what was considered worth laughing at by the savans of England more than a century and a half ago, and were probably designed to ridicule some of the early extravagances of scientific empirics and charlatans. The word "knicknackatory," with which one of the lines concludes, and which can hardly be found in any dictionary of that day, or of this, is rather a happy coinage of an expressive name for a miscellaneous collection of odd things, and might even find an application in our own times.

The lines probably fell into the hands of a great-grandson of Governor Winthrop, who was a member of the Royal Society while Sir Hans Sloane was its President; and he seems to have regarded such a *jeu d'esprit* too characteristic of the period to be destroyed. They are now submitted without recourse, leaving our Publishing Committee to decide whether they are amusing enough to be reproduced. The title of *Dr.* given to Sloane seems to indicate that they were written before 1716, when he was made a Baronet, and would have been styled *Sir*.

I. H. to Dr. Sloane, who desired him to send him all the Rarities he could meet with in his Travels.

Since you, Dear Dr., sav'd my life,
By turns to bless and curse my wife,
In conscience I'm oblig'd to do
Whatever is enjoyn'd by you.
According then to your command,
That I should search the Western Land,
And send you all that I can find,
Of curious things of every kind,
I've ravag'd air, earth, sea, and caverns,
Wine, women, children, tombs, and taverns;

And greater rarities can shew
Than Gresham's children ever knew ;
Which Carrier Dick shall bring you down,
Next time the waggon comes to town.
First, I've three drops of the same shower
Which Jove in Danæ's lap did pour ;
From Carthage brought the sword I'll send,
Which help'd Queen Dido to her end ;
The snake skin which, you may believe,
The serpent cast which tempted Eve ;
A fig-leaf apron, it's the same
Which Adam wore to hide his shame,
But now wants darning; Sir ; beside,
The jaw by which poor Abel died ;
A whetstone, worn exceeding small,
Which Time has whet his teeth withal ;
The pigeon stuff'd, which Noah sent
To tell which way the waters went.
A ring I've got of Samson's hair,
The same that Delilah us'd to wear ;
St. Dunstan's tongs, as story goes,
Once pinch'd the Devil by the nose ;
The very shaft, as all may see,
Which Cupid shot at Antony ;
And, what beyond the rest I prize,
A glance of Cleopatra's eyes :
Some strains of eloquence which hung,
In Roman times, on Tully's tongue,
Which long conceal'd and lost had lain,
Till Cooper found them out again.
Then I've, most curious to be seen,
A scorpion's bite to cure the spleen ;
As Moore cures worms in stomach bred,
I've pills cure maggots in the head,
With the receipt how you may make 'em,
To you I leave the time to take 'em.
I've got a ray of Phœbus' shine,
Found in the bottom of a mine ;
A lawyer's conscience large and fair,
Fit for a judge himself to wear.
I've choice of nostrums how to make,
An oath a churchman will not take.
In a thumb vial you shall see,
Close cork'd, some drops of honesty,
Which, after searching kingdoms round,
At last was in a cottage found.
I hain't collected any care,
Of that there's plenty everywhere ;

But, after wondrous labor spent,
 I've got three grains of rich content
 It is my wish, it is my glory,
 To furnish your Knicknackatory;
 I only beg that, when you shew 'em,
 You'll fairly tell to whom you owe 'em,
 Which will your future patients teach
 To do as has done, yours, I. H.

JUNE MEETING.

A stated meeting was held on Thursday, the 12th instant, at 11, A.M.; Vice-President ADAMS, in the absence of the President, in the chair.

The Recording Secretary read his record of the last meeting.

The Librarian read his monthly list of donors to the Library.

The Corresponding Secretary announced the acceptance of the Hon. Benjamin R. Curtis, who had been elected a Resident Member at the May meeting.

The Vice-President, the Hon. C. F. ADAMS, noticed the decease of our associate member, the Hon William Minot, since the last meeting of the Society, as follows:—

It becomes my duty to note the decease, since the last meeting, of one of our most venerable and respected members, Mr. William Minot. Though never taking any prominent part in the public action of life, no person passed his days in the performance of duties more useful to society or honorable to himself. Confidence in the fulfilment of obligations of pecuniary trusts is only merited by a life of the purest integrity. The many who reposed it in him during the long course of his active career had cause to congratulate themselves, when reflecting how much shifting sand was visible always around them, that they had built their house on a rock.

Mr. WATERSTON, from the Standing Committee, offered the following resolution:—

Resolved, That this Society has heard with deep emotion of the death of their venerable associate, the Hon. William Minot, who, after a long, diligent, and useful life, has, in the full maturity of age, tranquilly passed away, leaving us one less representative among the living binding us to the generations that have gone.

Resolved, That the President of the Society, the Hon. Robert

C. Winthrop, be requested to prepare a Memoir of Mr. Minot for the Society's Proceedings.

The Recording Secretary had received a letter from the President of the Society, dated Stockbridge, 9th June, in which he said: "I am really sorry to be absent from our meeting, more especially as I may thus be prevented from paying a tribute to the memory of my venerable and valued friend, the Hon. William Minot, who has been associated with us for thirty years, and for whom I had a warm personal regard."

The resolutions were unanimously adopted.

The Treasurer read a letter from Mr. Hillard, one of the executors of the late Mr. Savage, announcing officially the bequest of \$5,000 to the Society, and that the executors were ready to pay the same. The letter was accompanied by that portion of the will in which this bequest and others to the Society were made, viz.:—

Second. To the Massachusetts Historical Society I give the sum of five thousand dollars, of the income whereof no use shall be made except for the increase of said Society's library, at the discretion of said Society's Standing Committee, who shall annually make report of their doings herein; and, further, I give said Society my collection of coins, medals, and currency, whether of gold, silver, bronze, brass, copper, mixed metals, paper, or other materials, with the little cabinet for them designed, now wholly without arrangement, a very small portion only of said collection having been purchased by me more than half a century ago, as I had little leisure for such exacting study; and the aggregate value of this collection may not, I hope, be slighted, inasmuch as much the best parts of these irrefragable muniments of history were gifts from very competent appraisers, Joseph G. Cogswell and George Ticknor, by them so long since gathered in their travels or residence in Egypt, Spain, Germany, Italy, France, Great Britain, or elsewhere, and these friends probably foresaw this ultimate destination of their munificence; and, further, I give said Society the right of selecting from my library a hundred volumes, after the selection for the University is made, but with right exclusively in the four volumes of my Genealogical Dictionary of New England, and the two volumes of the later edition of Winthrop's History of New England; further, I make urgent request of said Society to allow neither of these six volumes to be withdrawn from their rooms except in special regard to the object of reprinting either of them in revised editions under the Society's care, because in the margins of the pages of both, and particularly of the Dictionary, abundant additions and not a few corrections are inserted.

The Librarian said that the one hundred volumes bequeathed to the Society by Mr. Savage had been selected by Mr. Deano

and himself, and that the other volumes, specifically given, had also been received. The collection of coins bequeathed to the Society had already been deposited in the cabinet three years since. (See Proceedings for April, 1870, p. 252.)

On motion of the Treasurer the following resolution was unanimously adopted:—

Resolved, That this Society gratefully accepts the legacies, pecuniary and specific, bequeathed to them by their late venerable and honored associate, James Savage, recognizing in them additional manifestations of the deep interest felt by him in its work, and shown by such long and valuable services as member and President.

Mr. DEANE stated that the Society had received from Mrs. Rogers, the daughter of Mr. Savage, a large number of manuscripts and printed pamphlets belonging to her late father, to be placed in the Society's archives if they should be found, on examination, to be worthy of preservation. In a letter to him she says: "I spent all my leisure of last winter in looking over the letters of my father, and from them I put aside every thing of an historical and genealogical nature, which are in the box, not knowing whether there were many of any importance, yet fearing to destroy what *might* be of value. You will therefore, if you please, dispose of them as you think best."

On motion of Mr. DEANE, it was unanimously

Voted, That the thanks of the Society be presented to Mrs. Rogers for the valuable donation of papers, both manuscript and printed, from the collection of her late father, Mr. Savage.

Voted, That these Savage papers be referred to the Committee on the Publication of the Proceedings, to be examined and arranged under their direction.

Members of the "first section" being called upon, Mr. ELLIS AMES read the following extracts, being the eleventh and twelfth clauses, from the will of Colonel Ephraim Leonard, who lived in that part of the town of Norton, in the county of Bristol, Mass., which was subsequently incorporated as the town of Mansfield.* The will was dated July 23, 1783.

"Item. I give and bequeath to my only son, Daniel Leonard, Esq. (who I suppose is now in Europe), to him, his heirs and assigns for ever, all my estate of every kind, name, or nature whatsoever, except-

* Colonel Leonard lived in the second parish of Norton, which was incorporated as such June 23, 1731, and was reincorporated April 26, 1770, into the District of Mansfield, which district became a town by force of the general law enacted in August, 1775, at the first session of our General Court for the political year 1775-76, chapter 3, section 3, enacting that every district shall henceforth be a town to all intents and purposes whatsoever.

ing what I do otherwise dispose of in this my will, upon condition that when a final settlement of the controversy subsisting between Great Britain and the United States of North America shall take place, and by the authority of the state of the Commonwealth of Massachusetts said Daniel shall be allowed to return and take possession of and quietly enjoy the estate I have bequeathed him, and not otherwise; that is to say, upon condition my aforesaid son Daniel shall be allowed to return to and reside in the Commonwealth of Massachusetts and be entitled to all the privileges and immunities of a citizen.

"Item. Provided my son Daniel aforesaid shall not be allowed to return as aforesaid, but shall be by lawful authority disqualified to enjoy my estate, then in that case I give and bequeath all my estate, both real and personal, to my grandchildren, the children of my son Daniel, to them and to their heirs and assigns for ever, after my just debts, legacies, and funeral charges are paid, upon condition that my said grandchildren return and are in a capacity to receive and improve the same, and not otherwise. And it is my will and pleasure that those of my said grandchildren which shall return and be admitted to improve the same as above said, those and only those of them shall be benefited by my estate. And it is my will and pleasure that upon supposition my son Daniel is not allowed to return and enjoy my estate, and my grandchildren aforesaid or any of them shall return and shall be in a legal capacity to improve and enjoy my estate, that my executor, and my executor is hereby ordered and empowered to make a division of said estate among them, according to his judgment and discretion, and order what part of said estate each of them shall have. And as the condition and circumstances of my grandchildren may be different, I do not order an equal division of said estate to be made among them either as to quantity or value, but shall be as my executor shall order without said estate being appraised or valued, and that such division as my executor shall so order and make shall be good and valid to all intents and purposes.

"Furthermore, that upon supposition one or more of my aforesaid grandchildren return, and are in a legal capacity to enjoy my estate, and a division shall be made by my executor, in this case it is my will and pleasure that only such as shall return of my aforesaid grandchildren within the term of twelve years after such division or divisions shall be benefited by my estate, and all such of my aforesaid grandchildren as neglect to return within the aforesaid term shall be considered as having forfeited their share or interest in my estate."

Mr. Ames continued: —

The dwelling-house of Colonel Ephraim Leonard, where Daniel Leonard was born, is about two and a half miles east of the Mansfield Depot of the Boston and Providence Railroad. It is in a fair state of repair, and painted red. On entering it, the antiquity of the house and the spaciousness of the two-story entry and the large size of the rooms indicate that it was the residence of a gentleman of the provin-

cial period. Colonel Leonard had in Mansfield about five hundred acres of land, and on his homestead he had very considerable iron works, wherein the iron manufactures of the times were carried on. About one quarter of a mile south-easterly of his house, in what is now a wood-lot, he and his wives (the first the mother of Daniel Leonard, who died in 1741, shortly after the birth of her son Daniel) were buried, the gravestones lying flat upon the ground.

Daniel Leonard graduated at Harvard College in 1760, and, as the College Catalogue shows, became Chief Justice of the Supreme Court of the Island of Bermuda. His court had admiralty and prize jurisdiction, and I have seen and conversed with sailors who had been present in his court, between the years 1790 and 1812, when vessels from Massachusetts had been brought in before him on complaint for carrying contraband goods during the wars between England and France.

Daniel Leonard studied law after graduating in 1760, and opened his office as a lawyer and commenced practice in Taunton about the same time that the Hon. Robert Treat Paine, the signer of the Declaration of Independence (Harv. Coll. 1749) settled there.

He was a representative from Taunton during the political years 1769-70, 1770-71, and 1771-72. He was not a member for the political year 1772-73. He was again a member, with Robert Treat Paine for his colleague, for the political year 1773-74; and was again elected, with Robert Treat Paine as his colleague, at the annual spring election of 1774, for the political year 1774-75, and took his seat, but that House of Representatives became extinct upon Governor Gage's abrupt dissolution of the General Court at Salem, on the 17th day of June, 1774, instantly after the election of our five members to the first Continental Congress.

He was appointed by the Crown, under the Act of Parliament, 14 George III., ch. 45 (1774), entitled "*An Act for the better regulating the Government of the Province of the Massachusetts Bay in New England*," one of the members of the council board of the Province, as attempted to be reconstructed by that Act, who were commonly called "Mandamus Councillors," but who never met and qualified.

After alluding to the Act of the General Court of September session, 1778, to prevent the return to this State of 308 persons therein named (including Daniel Leonard), and others, who had left this State and joined the enemies thereof, the substance of our two Confiscation Acts of April 30, 1779, were stated. The first was an act to confiscate the estates of certain *notorious* conspirators against the government and liberties of the inhabitants of the State of Massachusetts, and the second was an act for confiscating the estates of certain persons, commonly called absentees.

In the first act, twenty-nine persons were named (of whom Daniel Leonard was one), and the goods and chattels, rights and credits, lands and tenements of every kind, of which each of those twenty-nine persons were seized or possessed, or were entitled to, or of which any person was seized or possessed, or were entitled to, for their use, by

operation and by the force of that act escheated, enured, and accrued to the sole use and benefit of the government and people of this State, and were accordingly declared so to enure and accrue; and the government and people were, and by the mere force of said act, adjudged and taken to be in the real and actual possession of such goods and chattels, rights and credits, lands and tenements, without further inquiry, adjudication, or determination thereafter to be had, and all that was requisite was for the General Court to appoint, as in fact was done, a committee to inventory and sell said estates, and to account for and pay over the proceeds thereof into the Treasury of the State. Under this act Judge Leonard's dwelling-house, now in good repair and now situate next north of the Court House in Taunton, was sold, and the proceeds paid into the State Treasury. The house afterwards became the property of Hon. Seth Pادelford, of Taunton, Judge of the Probate Court, of Bristol County; and Daniel Leonard, in 1799 and 1808, on a visit there, was the guest of Judge Pادelford in that very house.

By the second act it was enacted that every and all the inhabitants of this State who, since 19th April, 1775, had levied war or conspired to levy war against the government and people of any of the United States, or who had adhered to the King of Great Britain, his fleets or armies, enemies of the United States, or had given them aid or comfort, were declared aliens; and it was also enacted that all the goods and chattels, rights and credits, lands and tenements of every kind of which any of said persons were seized or possessed, or entitled to possess, hold, or enjoy in their own right or any other person for them, were declared and held to escheat, enure, and accrue to the sole use and benefit of the government and people of the State. Under this act, naming no person in particular, it was necessary that some mode of trial should be instituted whereby to determine what estates were forfeited and did escheat, by force of this act; and it was enacted that the Attorney-General should exhibit to the Court of Common Pleas for the county wherein the estate was situate a complaint against any person who had offended in the manner before in this act described, setting forth clearly and plainly the offence that such person was charged with and a full and true description of the estate demanded as forfeited; upon which notice was to be given, and, upon a trial by jury and verdict for the State, judgment of forfeiture was rendered for the State, and the estate was sold by a committee and the proceeds paid into the State Treasury, reserving a right of appeal to the highest court, then called the Superior Court of Judicature. Under this act, and upon due process of law, many estates were sold and titles thereto passed in the State of Massachusetts.

Daniel Leonard returned to visit Taunton, Norton, and Mansfield in 1799 and 1808, on both of which occasions the late Hon. William Baylies, of West Bridgewater (Brown Univ. 1795), saw and conversed with him several times.

The last time that Mr. Baylies saw Judge Leonard, they rode in company from Norton to West Bridgewater, and when they arrived at the turn of the road, about thirty-five rods northerly of the dwelling

house in West Bridgewater, formerly of Oakes Angier, Esq. (Harv. Coll. 1764), they parted, Judge Leonard taking the road leading to Quincy, on his way to visit the elder President Adams, whom he had not seen since 1775.

Neither Judge Leonard nor any of his three daughters returned to live in the United States. His daughter Anna (White) Leonard, a grand-daughter of Hon. Samuel White, of Taunton (Harv. Coll. 1731, and Speaker of our House of Representatives 1764-65 and 1765-66), married a Mr. Smith, of the Island of Antigua. Sarah Leonard, a daughter by his second wife, married Captain Stuart, of the British army, afterward collector of the port of Bermuda; and Dr. Stuart, their son, was a distinguished physician in London, in 1832. The other daughter, Harriet, died while young. His son, Charles Leonard, lived in Massachusetts, and had his grandfather's real estate, and was, about the year 1793 and 1794, a student in Harvard College, but never graduated. The writer well remembers him in 1816, a raving maniac, travelling the country leading his horse. He died about the year 1830, having never been married, and for a considerable number of years having been under the care of the late Hon. Laban Wheaton, of Norton (Harv. Coll. 1774), by arrangement of his father, Judge Leonard; but a story that has been current that this son was born an idiot is entirely erroneous.

The dwelling-house, formerly Daniel Leonard's, in Taunton, now standing near to and next north of the court-house, formerly stood where the dwelling-house of the late Hon. Samuel Crocker now stands, to which spot, about seven rods distant, Mr. Crocker moved the same many years ago, for the purpose of building his house on that site. Nothing is better authenticated than the fact that in the spring of 1775 a multitude rushed up to his house to seize Mr. Leonard one evening (who had before left for Boston), and perceiving a light in the southernmost chamber, where his wife lay sick in her bed, one of the party, thinking that Mr. Leonard was in that chamber, fired a musket-ball into the room, which passed through the upper sash of the southernmost window of the south chamber, and lodged in the partition of the room opposite that window. The identical shutter now hangs on the inside, and several persons now living have seen the bullet-hole in the shutter before it had been obliterated by putty and coats of paint put on at intervals during the period of more than ninety-eight years. In the course of a month or six weeks after, a carriage arrived from Boston to take Mrs. Leonard and her children thither. It was not deemed prudent to ride up to and take them from the front door of the house in full view of Taunton Green, but the driver stopped in the old Bay road, leading from Taunton Green to Boston, about fifteen rods before the Bay road opened upon Taunton Green, to which Bay road Mr. Leonard's garden extended from the back of his house; and the wife and children of Mr. Leonard went by the back door through the garden, as it now is, undisturbed, to the carriage standing in the Bay road, and arrived safely at Boston.

On the approach of old age, Judge Leonard removed from the

Island of Bermuda to London, and was killed by the accidental discharge of a pistol in his own hand, June 27, 1829. He complained to the person in charge of the house where he boarded, that in the night time, as he lay in bed, he was annoyed by a person walking on the roof of the adjoining house, and coming up to and looking in at his window. He thought the fellow dangerous, and accordingly procured a pistol, and loaded it, and laid it beside him during the night. One day, about a month after, as he was in his room, alone, the inmates of the house heard the report of the discharge of his pistol, and going into the room found him on the floor, dying from the wound caused by the bullet, which had entered his vitals, and so near dead as to be utterly unable to explain. It was not doubted that he was attempting to draw the charge, which had long remained in the pistol, and that from his clumsiness, occasioned by old age, he had unintentionally discharged the pistol.

In addition to the article upon Daniel Leonard in Mr. Sabine's sketches of the Loyalists, reference may be made to two articles written by the late Lucius Manlius Sargent, Esq., and published in the Boston "Daily Evening Transcript" of April 15th and 18th, 1851, where the mooted question is discussed whether Daniel Leonard or Jonathan Sewall was the author of the series of articles entitled "Massachusettsens," first published in 1774 and 1775.

Mr. DEANE read two letters, written in Boston during the "Siege," to Gardiner Greene, Esq., then living in Demarara, and one from Halifax in the following year, addressed to the same gentleman. The letters belonged to Mr. Charles Amory, of Boston, who kindly allowed copies to be taken for publication in the Proceedings: —

BOSTON, May 6, 1775.

DEAR SIR, — You have my thanks for your kind favor by Captain Kissick, and the track of the brigantine which you sent me by him. I assure you it pleased me much.* By the accuracy of your observations, one would hardly suppose the accommodations on board had been bad; for an easy, comfortable situation of the body contributes

* Gardiner Greene had sailed from Salem for Demarara in the preceding year, being then twenty-one years of age. A letter from him addressed to his sister, "Miss Sally Greene, Boston," written principally on board ship, is now before us. He commences it, "In lat. 27° 54', long. 61° 25', 6 Oct. 1774, or about 1420 miles from Boston"; and concludes it on his arrival, "Dec. 6." He resided in Demarara for many years, and laid the foundation of a large fortune. On the 2d June, 1785, he married Miss Ann Reading, of Essequibo, formerly from St. Kitts. She died 25th Oct. 1786. In 1788, he visited Boston, and on the 25th Nov. married Miss Elizabeth Hubbard, daughter of Mr. Daniel Hubbard. They soon departed for their South American home, for we find him "at sea Jan'y the 15, 1789." This second wife died 7th Sept. 1797. On the 3d July, 1800, at St. George's Church in London, Mr. Greene married Miss Elizabeth Clarke Copley, daughter of the celebrated painter, John Singleton Copley, who survived him many years. Mr. Greene now returned to his native city, and continued to reside here till his death 19th Dec. 1832.

much to the brightness of the mind. It gives me much concern that you have been obliged to apply so constantly to business, especially to that uniform and tedious branch of it, — writing. It is not only disagreeable to be kept steadily at that employment, but is frequently prejudicial to health. I am happy to hear that, as yet, yours has escaped unimpaired either by your business or change of climate.

From your last letter to the company, it appears to be uncertain whether this will find you at Demerary. God forbid that you should have left it to come to this unhappy country! In its present situation it must be inferior to any country on earth. You will doubtless receive from other of your friends accounts of what has been doing here; notwithstanding, I will venture fatiguing you with a repetition, rather than risk any chance of your being uninformed.

Affairs were in a pretty peaceful situation till Tuesday, the 18th April, when the grenadier and light infantry companies of the several regiments here embarked at ten or eleven o'clock at night, and were landed at Phipps's farm at Cambridge, from whence they proceeded for Concord, under the command of Lieutenant-Colonel Smith, of the 10th. Their destination was to seize a large magazine of provisions, ammunition, &c., which General Gage had been informed was there. This information, however, proved to be false, for the quantity was trifling. Between eight and nine o'clock of the 19th (in the morning) a brigade, consisting of the 4th, 23d, and 47th regiments, and the marines, under command of Brigadier-General Lieutenant Percy, marched out to support the first party if they should be attacked; for Colonel Smith's orders were by all means to avoid firing unless he should be attacked. About eight o'clock it was confidently reported an engagement had happened between Colonel Smith's party and the country people; but this was for a long time disbelieved by the general and officers, for they did not appear to have any apprehension of an attack. The brigade did not march in consequence of this report: they had received their orders before. As soon as the movement of Colonel Smith was known, expresses were forwarded into the country. Mr. Hancock and Mr. Adams, who were at Concord (where the Congress had been sitting), decamped in the night, and went on toward Philadelphia to sit in the General Congress. At Lexington, an advanced party of light infantry found a body of men (as they are termed here minute-men) in arms. What happened between them is not fully ascertained. Each side is ready to swear the other fired first. I have conversed with several who were there, and believe that the people fired first: however that be, eight Lexington people were killed, and some of the troops wounded. This body having dispersed, the troops proceeded to Concord, where they destroyed some flour, gun-carriages, &c. By this time the country round being universally alarmed, men in arms were pouring in from all quarters, and a skirmishing began. When the troops had finished what they went for, they began to retire homewards; but the country people did not choose they should proceed quietly. From houses and barns, from behind stone walls, hedges, and ditches, they kept firing at

the troops and harassed them much. On their way home, when they met the brigade, their ammunition was almost wholly spent; and had it not been for that support, they would probably have been almost entirely cut off. The whole body then retired regularly to Charlestown, but were harassed in their march by fresh bodies of men. The light infantry and grenadiers, you will observe, had been up all night, and had been fighting all day; the brigade had had a long march through Roxbury, and no refreshment for any of them. Taking the whole together, it was the most fatiguing day's work that I ever heard of. This prevented the troops from having the advantage of flanking parties, for they were so fatigued they could not exert themselves. They reached Charlestown Neck about sunset; I saw the firing there from Beacon Hill very plainly. There were between sixty and seventy of the troops killed and missing, and a larger number wounded: many of their wounds were slight, owing to the people's firing from a very great distance. Lieutenant Hull, of the 43d, and Knight, of the 4th, wounded, are since dead; Hawkshaw, of the 5th, badly wounded, but like to recover; Colonel Barnard and Colonel Smith slightly wounded. A list of the killed and wounded on the other side has been published in a Salem paper, amounting to about forty-one of the former and fifteen of the latter. But this is undoubtedly erroneous; it is very certain that the numbers were greater, but difficult to ascertain them.

The country people call this a victory, and the retreat of the troops precipitate flight. They don't consider that when the king's troops had effected what they went for, they only had to come home again. That this was their intention, and that they did not do it because they were forced into it, appears from this, that they were not prepared either with provision, ammunition, or tents for staying one night, and they had only two field-pieces with them. Whichever side had the advantage in point of numbers lost, it was a most unhappy affair in itself, but much more so in its consequences. The country people, arriving from all parts, made a large body; they surrounded this town almost entirely, distributing their men in Medford, Cambridge, Roxbury, Dorchester, &c. On Friday all communication with the country was stopped. Nobody since can leave the town by land or water without leave of the general or admiral; and no one can come in by land without a pass from General Ward. An agreement was made in a few days by General Gage with the inhabitants of the town that they should deliver up their arms, and then should be suffered to go out. Accordingly the arms have been delivered (mine with the rest), and many of the people have left the town, but it is a slow business. Many difficulties have arisen about it, which have retarded the giving of passes to them. They say the General promised they should carry their *effects*, and therefore want to take their goods, &c. The General, it seems, if he did use that word, meant only *furniture*, and he does not allow merchandise to go out. The passes have been stopped several times, too, on this account. It is said if the Whigs go out, the Tories ought to be suffered to come in, and the

General suspected or was informed they were prevented. Your good old friend and neighbor, T. Chace, is at Roxbury; several passes have been seen here signed by him as Major-Brigade.

You may well suppose, from this situation, we have been in a constant alarm; many have been in expectation that the provincials would attack the town, and have therefore been in great consternation, and the General has been strengthening his fortifications and making new ones. A breastwork is thrown up across the Neck; another by Hewes's works in Pleasant Street; another on Fox Hill, Beacon, and Fort, and Copse Hills; and we are in daily expectation of six or seven thousand troops from England. What will be done when they come, God only knows! The present confusion is like to scatter us over the face of the earth. My mother, Mrs. Townsend, Mr. Hubbard's children, Mr. John Amory's children, &c., are gone to Norwich; N. G. and his family are gone to Passatuxet; your particular connections stand fast in town, likewise D. H. and Wife, and Betsey and Charles. I am going to London with Captain Callahan, and expect to have for fellow-passengers Mr. J. Green and wife, of School Street; Mr. J. Barrell and lady, Mr. John Amory and lady, Mrs. Callahan, Mr. Balch, Mr. S. Quincey, D. Sears, &c. As I have long entertained thoughts of making this voyage, as it will be impossible to do any business here, and as I may find something to do in England, I doubt not you will approve of my intention. If you can find an opportunity, I shall be much obliged to you to write me while there, to inform me how you go on, &c. I doubt not your friends will by this conveyance advise you not to come home; I hope you will not think me wholly governed by interested motives if I heartily join in the advice. You can do nothing in the way of business here; you will be in the midst of the confusion and horrors of a civil war, and be obliged, perhaps, to live as we now do, on salt provisions.

My best wishes attend you. Believe me to be, with esteem, your very affectionate friend,

D. GREENE.

Boston, May 10th, 1775.

DEAR BROTHER, — To you, who are acquainted with my very great averseness to writing, it may seem extraordinary to see a letter of any length; but the extreme affection I have for you will make me break through all obstacles. And what dwells most on my mind you must take first, which you may depend is the badness of the times. When you left us, we thought them quite bad enough; but they would bear no comparison to the present, occasioned by the following accident of Tuesday, the 18th instant. About half-past ten o'clock, the grenadiers and light companies of all the regiments in town, consisting of about eight hundred, were ordered to march for Concord, to destroy the magazine there, which the general was (falsely) informed was very large. They crossed from the bottom of the Common to Phips's Farm, and from thence to Lexington, where they arrived about daybreak,

and found a number of armed men, who the officers, and most of the people left in town, think fired on the king's troops, and wounded two privates; they then returned the fire, and killed eight. The people out of town say the king's troops fired first; but, be that as it may, the fire by that began no one knows where will end. After destroying what stores, &c., they could find at Concord, which consisted of two cannon, some wheels, wooden bowls, spoons, &c., and forty barrels of flour, they began to return, when the provincials appeared from every height, and behind every tree, stone-wall, house, &c. The troops retreated to Charlestown, attended by a constant fire from both sides, in which there were fifty odd of the king's troops killed and about one hundred wounded. The accounts published by the provincials say they had about forty killed and but a few wounded, since which there has been no person suffered to come in or go out of town but by a pass obtained from head-quarters; no provisions allowed by the people to be brought in, which makes it very difficult for those families who remain in town and had not supplied themselves before; but our folks are as well off as most. Mother and Mrs. Townshend, with all Mr. Hubbard's children (except Betsy and the baby), all Mr. Amory's children, and brother Benjamin's son Benjamin, are gone to Norwich. Mr. Amory and wife, and David, and about a dozen more, are going to London in the *Minerva*. We are surrounded by people from far and near; reports concerning their numbers are various, from ten to thirty thousand; but I believe there may be about twelve or fifteen thousand. Many people think they will attack the town, many more think they will only act on the defensive, and in case any troops go out of town to endeavor to cut them off: the last is my opinion. There has upwards of two thousand persons left the town. The town was disarmed soon after the battle. The above account is the most particular I can get. The papers I enclose you were published by authority.* Callaban and our dear Lucretia, &c., sail in about a week. If you should finish your business, and can make any large collections, and find an opportunity to Holland, on easy terms, would it not be a good plan to take a voyage. You certainly cannot make yourself happy here while the disturbances last. Enclosed is Robert Tayler's draft with protests, which I should like to have remitted on the same plan you do the Company's, as likewise what may be due to me for the linens, &c. Enclosed you have likewise a number of bills Nathaniel sold Nathaniel Coffin, Esq., which are returned with disgrace, list of which you have at foot; † pray renew them, and remit them as above on my account wholly, as Nathaniel had some of mine to replace them.

The person who takes this to Salem waits, which obliges me to conclude.

Your loving brother,

JOSEPH GREENE.

* Among these papers was Gage's "Circumstantial Account" of the affair of Lexington and Concord, on the margin of which Joseph Greene has written, — "The people say the troops fired first, and I think they did." — Eds.

† This list of returned bills, amounting to £4039 14s., we do not copy. — Eds.

HALIFAX, August 2d, 1776.

DEAR GARDINER, — I was agreeably surprised the other day with the sight of our friend, Captain Blake, by whom I had the satisfaction to hear of your welfare, as well as to learn a little of what is passing in your part of the world.

It gives me much pleasure to hear you are well and in so good business, though you must be somewhat anxious in regard to what is doing among us here. Indeed, I don't know what to tell you, for every day may bring forth something new where war rages. You undoubtedly inquire how I came here: I will tell you. About the middle of March past, General Howe, with his army, consisting of about seven or eight thousand men, with women and children, inhabitants of Boston, refugees from the country, &c., quitted the town of Boston (the particulars of which I daresay you have already had), and came down to this hole, the dregs of the earth, where they all remained till the 10th of June, when they went away again for action to some part of the continent. I, having been employed by our friend, Gregory Townsend, Esq., in the Commissary-General's department, came here with the fleet too, and when the army went off was left here as Deputy-Commissary.

When we came from Boston, all your friends were well, they all stayed as well [as] our family. By all accounts they fare tolerably well. Almost every one who came from Boston to this place have gone away again: some for England, some for head-quarters, and the remainder will go as soon as they can learn where the army is gone to, and whether they have made their landing good, for this is without exception the most despicable place ever I knew. The price of living here is exceeding high; and the people, in general, a poor, mean, low-lived set of beings, and, were it not that I have some expectations, wouldn't tarry here a day longer after my accounts are settled. Hope soon to hear from the army, as we are hourly expecting a vessel. Wish sincerely they may make up matters this fall. There are a large body of troops come out from England. A large fleet arrived here a few weeks past with foreign troops, and the Guards, with Lord Howe among them: they went away to join General Howe immediately; they were Hessians.

From the opinion I have always had of the Howe family, and from the particular good character which General Howe now bears throughout his whole army, I think that the troops now gone from here will never turn their backs while alive: they will either conquer or die. God grant the Americans may consider a little more, if reason has not quite left them, and give ear to the proposals that will be made them by Lord Howe before they go to action; for most certainly there will be bloody work this season; and, if I'm not much mistaken, there will be an example made for rebellion in future, notwithstanding there appears much lenity in every step taken on government side,—too much in my opinion. It is certainly a happy thing to live under so mild a government as the present English government; but I'm sure if more

authority had been made use of a few years past much expense might have been saved; but I blame no one, for the Devil himself couldn't think to see the present unhappy war increase to so great a height in so short a time.

I sincerely wish to see the day when you and yours as well as myself may all be together again in perfect peace.

Your old friend, Jack Coffin, arrived here a few days past from London, bound to head-quarters; your uncle Chandler sailed a few days past for London, together with John Powell and his family, our old friend Frank Johnnott, John Erving and family, Mr. Lechmere and family, the Commissioners, &c., &c.; in short, one half of Boston is now in England, and they tell me that the Bostonians are so thick about the streets of London that it is imagined selectmen, wardens, &c., will be chosen there, according to the old Bostonian method.

If I was sure of staying here any time, would beg you to write to me; but it is quite uncertain how long I shall stay. Your cousin, Rufus Chandler, is here with his wife; shall try to see him presently, and acquaint him of this opportunity.

Blake will give you a description of affairs here. I assure you it is agreeable to hear of the vessels in Mr. Hubbard's employ: it seems natural. Blake is a special good fellow, I think, for business. Hope he'll make a good voyage.

I wish you every good this world can afford, and, in full hope of seeing you again after the storm is past over, I am sincerely your friend and very obedient servant,

JOHN PERKINS.

MR. GARDINER GREENE, Rio Dematara.

Excuse my haste: 'tis just dark now, and Blake goes out early in the morning.

Mr. EDMUND QUINCY presented a volume, — the "Trial of Lord Cochrane and others," 1814; also "An Oration on the Death of George Clinton," &c., by Elbert Herring, Esq. (20. May, 1812), now the oldest graduate of Princeton.

Count Adolphe de Circourt, through Mr. Winthrop, presented a copy of his paper, entitled "La Première Coalition," &c.

Mr. SIBLEY spoke of the old graduates of Harvard now living, and said that the second (Horace Binney of the class of 1797 being the oldest) now living was Willard Hall, of Delaware, of the class of 1799; and he was followed by Samuel Dunn Parker, of Boston, of the same class.* He then took occasion to say that the next oldest living graduate was our associate, Colonel Aspinwall, of the class of 1804, whose presence

* Mr. Parker has died while this volume was in the press.

at the meeting, notwithstanding his physical infirmities, was gracefully noticed by Mr. Sibley.

In connection with the subject of old age, the Recording Secretary called attention to a copy of the "London Athenæum" of May 31st, which he had received that morning, and which contained a notice of a recent work by W. J. Thoms, F.S.A., on "Human Longevity." By this it appeared that the author contested the claims of a large number of supposed centenarians, including those of Parr, Jenkins, and the Countess of Desmond. In the more modern series he thinks he has shown in some dozen cases cited that the ages were really from six to twenty years younger than claimed. Among these he includes the case of Frederick Larbusch, of New York, who has attracted more than usual interest in that city as a centenarian, born in 1766; and whose name occurs more than once on our records as having been visited by some of our own associates. If Mr. Thoms's account of him is true, the case is a painful one; and the Secretary would only refer those interested to the work on "Human Longevity," noticed in the paper just mentioned.

A conversation ensued, in which Mr. QUINCY, Mr. WATERSTON, Mr. BROOKS, Dr. HOLMES, Prof. WASHBURN, and Mr. T. C. AMORY took part.

Mr. THOMAS C. AMORY mentioned an instance of longevity in England, less familiar and less frequently cited or alluded to in the discussion of the question than those of Parr or the Countess of Desmond. In an inquisition preserved in the Dodsleian Manuscripts, vol. 39, p. 136, Sir Ralph de Vernon is stated to have lived sevenscore years and ten, or to the great age of one hundred and fifty. He married Mary, daughter of Lord Dacre, and their son, Sir Ralph, of Hanwell, married a daughter of St. Pierre. Ralin, the son of the second Sir Ralph, had issue, another Sir Ralph of Mottram, whose son was yet another Sir Ralph "the younger." Old Sir Ralph survived his son, grandson, and great-grandson, and about 1320 entered into an agreement with a judge of Chester for the marriage of Sir Ralph the younger, his great-great-grandson, with Agnes, the judge's daughter. The estates of the family were settled on the old Sir Ralph for his life, and in tail on the younger Sir Ralph, with remainders over in the collateral branches in succession of each preceding generation. After failure of issue in several of the persons to whom the property was limited, this inquisition was held to determine who next should take.

If, as usual at the period, the younger Sir Ralph and Agnes were betrothed in early childhood, and we allow twenty-two

years for each generation, and elder sons married young being assured of their maintenance, old Sir Ralph need not have been more than ninety when he entered into the arrangement for the marriage of his great-great-grandson, and made the settlement.

The Countess of Desmond, according to tradition, was born in the reign of Edward IV., 1461-1483, danced with Richard III. about 1480, and lived into the reign of James II., her death taking place in 1604. She had reached the age of one hundred and forty. This statement is made by Bacon, Raleigh, and later by Sir William Temple, and is curiously borne out by established dates. Gerald, fourth Earl of Desmond, married, 1359, Eleanor Butler, daughter of James, second Earl of Ormond, great-grand-daughter of Edward the First, and disappeared 1398. His son James, seventh Earl, died 1462, and his son, the eighth, born 1425, had his head cut off at Drogheda in 1467. Four of the sons of the eighth were Earls of Desmond; Thomas, twelfth Earl, being husband to this aged lady. He was born in 1454, and died in 1534, at the age of eighty. James the thirteenth, his grandson, succeeded, and was slain in 1540, his widow remarrying with the O'Sullivan More. It would seem probable, therefore, that James's father, Maurice, was born between 1480 and 1490. According to the present received impression, Catherine, the old Countess of Desmond, was daughter, by Ellen Fitzgibbon, of John Gerald Fitzgerald, of Dromanagh, grand-daughter of the seventh Earl of Desmond, and niece of the wife of the seventh Earl of Kildare, whose civil rank was Lord Deputy of Ireland, and Chancellor at different times from 1454 to 1475, and often in England. No other widowed Countess of Desmond answers to the description given of Catherine by Raleigh, "that she had her dower under several Earls of Desmond."

The Desmond pedigree, by Sir William Betham, as given in Sainthill's "Old Countess of Desmond," corrected and enlarged from the four masters, MacFirbis, O'Clery, from the Russell, Coke, Cotton, Harleian manuscripts, by O'Daly, Sir Bernard Burke, Lodge, Lynch, and from the State papers, and published in a broadside dated 1834, describes Catherine as the second wife of Thomas, the twelfth Earl of Desmond. His first Countess was, according to the authorities, Celia, daughter of Cormac Laidir McCarthy, ninth Lord of Muskerry, which Cormac, born 1411 and dying in 1494, built the famous Castle of Blarney about 1450. His said daughter Celia may have well been, as stated in the broadside, mother of Maurice, and have died early enough for Catherine Fitzgerald, born in the

reign of Edward IV., to have become her successor between 1490 and 1500. Catherine had an only daughter of the same name as her own, who was the wife of Philip Barry Oge.

Another instance of longevity was alluded to by Mr. Amory, that of the father of the first President of the Society, Governor Sullivan, who lived to the age of one hundred and five, as stated by his son in the obituary notice of him, as also on his tombstone at Berwick. He enjoyed very perfect health throughout his long life, retaining his faculties to its close. If we may credit genealogists, he was of the same stock by female lines as the Countess of Desmond.

JULY MEETING, 1873.

A stated meeting was held on Thursday, the 10th instant, at eleven o'clock, A.M.; the President in the chair.

The Secretary read the records of the previous meeting.

The Librarian read his list of donors to the Library for the past month.

The President then said:—

We have a number of more than commonly interesting gifts to acknowledge to-day. Here is a number of Addison's Spectator, No. CXL., bearing date, Friday, August 10, 1711. It was sent to us by Mr. Thomas Groom, the well-known stationer, who thought it might be of the original impression, as there is every reason to think it is. But, however that may be, we would return him our grateful acknowledgments for the gift.

Here are two large volumes which have been sent to our Library from Mrs. William Winthrop, of Malta, the widow of our late Corresponding Member, who not only added a large number of books to our Library during his lifetime, but provided by his will for the prospective establishment of a Binding Fund of \$3,000.

One of these volumes is the "History of the Recent Discoveries at Cyrene, made during an expedition to the Cyrenaica, in 1860-61, under the auspices of Her Majesty's government, by Captain R. Murdoch Smith, R. E., and Commander E. A. Porcher, R. N." 1 vol. 4to. London, 1864. A presentation copy to W. Winthrop, from E. A. Porcher.

The other is a manuscript "History of Christian and Moslem Slavery, with Historical Sketches of the Order of St. John of Jerusalem. In the Holy Land, Cyprus, Rhodes, and Malta." By William Winthrop, United States Consul at Malta." Water-color illustrations, by E. A. Porcher, R. N. 1 vol. Fol. MSS. It may prove that parts, if not the whole of this work, may be found worthy of publication, whenever our funds will admit of such an expenditure, or possibly some publisher may be inclined to print it. At any rate, you would not pardon me for omitting to return our grateful acknowledgments for the volumes.

Here, finally, is a parcel, which will best be explained by the note which accompanied it, from our valued associate, Mr. William Amory: —

HON. ROBT. C. WINTHROP,

President of Massachusetts Historical Society.

DEAR SIR, — Allow me to offer through you, to your Society, the accompanying autograph manuscript of some pages of the "Conquest of Mexico," by the distinguished author of that work, — the late William H. Prescott. It was written by the aid of the noctograph, also herewith presented, and which, as you know, the state of his sight compelled him almost always to use in writing, — somewhat at the expense of the legibility and appearance of the manuscript itself. Both, I thought, might be valuable as a literary curiosity, and interesting as a souvenir of so beloved an associate, and so eminent an historian. An extract descriptive of the noctograph, and the manner of using it, from the admirable Biography of Mr. Prescott, by his faithful friend, Mr. Ticknor, is also enclosed; and if you will deposit the whole, at my expense, in some suitable case, as you proposed, in the Library of your Society, you will greatly oblige

Yours, very respectfully and truly,

W. AMORY.

NAHANT, June 17, 1873.

Nothing could be more interesting than the Noctograph of Prescott, and happily Mr. Amory is present to witness the gratification with which it is received.

The President continued: —

During the absence from home last month, which prevented my being present at our June Meeting, I passed a week in Canandaigua, at the mansion of the venerable Mrs. Greig, the widow of the late Hon. John Greig, with whom I had served in Congress, in 1841, and whose most striking resemblance to Walter Scott would have rendered him remarkable, quite apart from his ability, his sterling integrity, and his generous hospitality. On visiting the Court House in the village, I found on

the walls a large number of portraits, which included almost all those who had been prominently associated with the Ontario County Bar, as well as many of the most distinguished early settlers and residents of Western New York, from the days when our own Massachusetts Nathaniel Gorham, the President of the old Confederation Congress in 1786, united with Oliver Phelps in making that great purchase which led to the settlement of the Genesee country.

There were portraits of Gorham and Phelps; of Howell and Spencer, two eminent judges of New York; of the elder James, and of General William Wadsworth; of the late General Peter B. Porter and of John C. Spencer, both remembered as Secretaries of War of the United States; of Gideon Granger and his son, the late Francis Granger, both Postmaster-Generals of the United States; of the late Daniel D. Barnard, and Mark H. Sibley, and Stephen A. Douglas, all distinguished in the annals of Congress; of Abner Barlow, who sowed the first wheat in that region; of William Wood, a native of Massachusetts, known as the founder of the earliest Mercantile Library Association in our country; of Mr. Greig himself, and of many others whose names are more familiar in that part of the country than in our own.

Happening to inquire whether there was any portrait of General Chapin, the old Indian Commissioner of Washington's appointment, who had been associated with General Benjamin Lincoln and Colonel Timothy Pickering, in the negotiation of a memorable Indian treaty at Canandaigua, and, I may add, of whose venerable grand-daughter (Mrs. Greig) I was the guest, I was told that there was no likeness of him extant. I replied, that I thought I had somewhere seen one, and that on my return home I would see if my impression was correct. I had in my mind a lithographed sketch of a conference with the Indians of Western New York, contained in the 5th vol. of the 3d Series of our Collections. That sketch had been impressed on my memory by the earnestness and emphasis with which our late venerable Senior Member, President Quincy, had alluded to it in my presence. I have heard him more than once speak of it, with the volume in his hand, as the most striking sketch of the sort he had ever seen. The character of the Indians, he thought, wonderfully well given, and the likenesses of Pickering and Lincoln admirable.

On turning to that sketch, I found a full-length figure of General Chapin, which is believed to be as good a likeness as the others, and of which I at once secured a copy, with the volume containing it, and sent it to Canandaigua.

I have told the story not merely as illustrating the somewhat striking way in which our old volumes may sometimes be turned to account, but also to bring this remarkable sketch to the fresh notice of the Society. It was made on the spot, as it seems, by a young British officer who was present at the "Talk" in 1793, was given by him (then Colonel Pilkington) to a friend in Gibraltar in 1819, and accidentally came into the hands of a member of our Society only a few weeks before General Lincoln's journal of the transaction was ready for publication.

I desired also to have an inquiry instituted as to the original sketch. Where is it? Can it not still be discovered in our archives, or traced to its possessor? President Quincy often suggested that the picture ought to be perpetuated on canvas. But the original sketch would be a most interesting addition to our gallery, and I hope it may be sought for and found.

Professor William Gammell, LL.D., of Providence, was elected a Corresponding Member.

Mr. ELLIS AMES communicated the following new facts respecting the Rev. Benjamin Bunker, of the class of 1658, which Mr. Sibley had not incorporated in his recent history of Harvard graduates:—

Records of the Town of Bridgewater, Mass., Vol. I. page 24.

It is ordered and Agreed upon by the towne of Bridgewater freely and willingly to give unto Mr. Buncker, if he shall come hether to supply our wants in the way of the ministrey, the sum of thirty pounds, or twenty pounds and his Diet.

It is ordered and Agreed upon by the towne, that A Leve should be Raised for the sum of fourteen pounds, upon every man's estate, which is the one-halfe of the sune which the town promised to Mr. Bunker for his carrying Along of the Lord's Day's Exercise, and his Diet, and also it is ordered that they that are not willing to be rated, that they may chuse whether they will pay according to their rate, but pay what they have promised, and that those that are willing to be rated if they want any thing or part of the same to be made up, that they are to make it up. This was concluded upon the eleventh of January, 1660.

It is Inacted by the Towne the 22d of february, 1660, that a leve should be made for the sune of five and twenty pounds upon every man's estate, which is what they promised to Mr. Bunker for the carrying Along of the Lord's days Exercise and his diet before his time or his year is fully expyred.

Mr. Daniel MacGregor, of East Derry, N. H., presented a copy of an engraving of "Ye great Town of Boston, in New England," for which acknowledgments were ordered.

AUGUST MEETING, 1873.

A stated meeting was held on Thursday the 15th instant, at 11 o'clock, A.M.; the President, Mr. WINTHROP, in the chair.

The Recording Secretary read the record of the preceding meeting.

The Librarian read the list of donors to the Library for the past month.

The President spoke of the death of Bishop Wilberforce, an Honorary Member of the Society, as follows:—

The Right Reverend Samuel Wilberforce, D.D., whose name has been on our foreign Honorary Roll since August, 1855, met with a fatal accident on the 19th of July last, near London. A more sudden removal from the highest associations of earth has rarely been deplored. The stumbling of a horse, on which he was riding in company with Her Majesty's Secretary of State for Foreign Affairs, on their way to meet the Prime Minister of England, brought his busy and brilliant career to a close. Unlike the late Sir Robert Peel, who was the victim of a similar accident in 1850, he was spared from any lingering agonies, expiring without a struggle on the spot, and at the instant, of his fall.

Born on the 7th of September, 1805, he had hardly completed his sixty-eighth year, while his health and strength seemed to promise many more years of usefulness and honor. He was a younger son of that renowned Philanthropist and Christian Statesman, William Wilberforce, whose deserved celebrity was wide enough and enduring enough to distinguish a whole family for a dozen generations. But he early extricated himself from the often oppressive shadow of a great paternal or ancestral name, and asserted his individual title to a place both in the ecclesiastical and the civil history of his country. Indeed, few prelates of the English Church, in our own day or in any day, have taken a more conspicuous stand, or enjoyed a wider distinction.

Nominated by Sir Robert Peel to the Bishopric of Oxford when hardly forty years of age, he became at once a notable figure in the House of Lords, as well as in the Convocations of the Church. Industrious, devoted, accomplished, with a rare facility and felicity of diction, he turned himself with marvelous versatility to every sphere of public service, and was

recognized at home and abroad as one of the leading orators both of the pulpit and of parliament. I owed to his own kind intervention, many years ago, an opportunity of hearing him deliver one of his memorable Charity Sermons. Nothing but his own note to the verger or the warden could have enabled me to secure a place in the crowd which always thronged the Churches in which he was advertised to preach. More recently, I stood, with Longfellow, on the floor of the House of Lords, and heard him reply to an admirable speech of the Duke of Argyll on the Bill for Disestablishing the Irish Church. If I found him less impressive as a debater than as a preacher, it may have been because the adroitness and dexterity of the rhetorician seemed, to one not quite accustomed to the blending of the temporal with the spiritual authority, less in keeping with the lawn sleeves which he wore, and with the sacred office which they designated.

Translated to the See of Winchester within a few years past, his name and fame will be most prominently associated with the field of his earlier and longer labors, and with his now familiar signature, which, I remember, perplexed me for a moment when I first received it more than a quarter of a century ago,—*S. Oxon*. I have it before me here, at the close of a note thanking me for a copy of the admirable pamphlet of the late Hon. Francis C. Gray on Prison Discipline, and concluding, "May I ask you to convey to our common friend Mr. Everett the expression of my cordial regard, and of the great pleasure which the sight of his handwriting would give me, had he time to write?"

It was through his little "History of the American Church," of which the First Edition was published in 1844, and the Second in 1846, that Dr. Wilberforce became known to our Society. It was not a very elaborate or exhaustive work, but it contained the fruit of some most fortunate researches among old manuscripts not within our reach, and led directly to the discovery and identification of that precious History of the Pilgrims, by Governor Bradford, which had so long been missing.

To Samuel Wilberforce, then Bishop of Oxford, and to Charles James Blomfield, then Bishop of London, through the intervention of the late Dr. Joseph Hunter, we owe the possession of the exact copy of the Bradford Manuscript, which Mr. Deane has so admirably edited and annotated.* That association would alone be sufficient to secure a grateful remembrance for the subject of this brief notice.

* We were afterwards indebted to Dr. Tait, now Archbishop of Canterbury, for the opportunity of examining the Manuscript at Fulham, while he was Bishop of London.

The President also read the following letter from our Corresponding Member, the Hon. H. B. Grigsby, addressed to the Recording Secretary:—

EDGEHILL, NEAR CHARLOTTE C. H., VIRGINIA,
July, 1873.

MY DEAR MR. DEANE,—I am very much obliged to the Society for the volume of "Proceedings" just published, and beg that you would convey my thanks to the proper quarter. As I had read several of the serials composing it, there was much that I had seen before; but I overlooked all the papers, and found enough to entertain and instruct me for a number of days. As I write in a hurry, I will only mention one or two things which struck me most forcibly. The article on the Sewall Papers is very valuable, and of the deepest interest to me. I wish there could be a more copious publication of the writings of the Chief Justice, especially his letters and diary. The paper which he wrote in a spirit of repentance for his decision in the case of the witches tried in Salem in 1692, and which was read to the congregation by his pastor, the Rev. Mr. Willard, I have never seen. It was an act of true heroism. I wish Sir Matthew Hale, who led him into the difficulty, had left behind him a similar paper. Has the diary of the Chief Justice ever been printed? The forty years embraced in it must unfold many instructive views of the social life of New England. The character of the Judge is a very exalted one. A thorough scholar in Hebrew, Greek, and Latin, quoting the two last with critical skill; a learned theologian, in an age when theology was the science of the day; a profound jurist; and, withal, possessed of great wealth, some of it hereditary,—he was probably one of the most laborious public servants of his generation, retaining his mental faculties in full vigor till near the age of eighty; an active member of the church in doctrine and in affairs; and, probably, the first deliberate writer in opposition to African slavery on the Continent. He seems to be the beau-ideal of the Puritan in his loftiest manifestations. Had he followed the footsteps of his contemporary, Major John Talcott,—whose name and blood, by one of the extraordinary caprices of fortune, are now borne by those who are blood kin of mine,—and slain four or five hundred Indians more or less, his heroism, added to his other qualities, would have made him a great character of the seventeenth century. ¹¹In the last paragraph quoted from a letter of the Judge, he uses the word *warned* in the sense of summoned. This identical use of the word still prevails among us; and when the Superintendent of the Roads calls upon you to require your men to work on them, he is said to *warn them in*.

The paper of Mr. Waterston, on the early history of the schools of Massachusetts, places under the eye some suggestive and most creditable facts, which might otherwise have remained unknown to the present generation. It is by such thoughtful contributions that some of the bright spots of the past are laid open to the busy world.

I have looked over very critically the elaborate treatise of Mr. Whitmore on the origin of names of towns in Massachusetts. As the names of the places in the oldest colonies north and south were given contemporaneously, this paper is almost as valuable to some other States as to your own. If the author had given us not only the names of places, but the meaning of those names, he would have more than doubled his labor, but would have supplied us with information which no one living man, probably, now possesses. He speaks of Barnstable as taken from Barnstable in England. Now I have never met the word in any English writer. It is always *Barnstaple*,* and for very obvious reasons. The word *Barnstable* involves an anachronism of a thousand years, and is an American creation altogether. The true word *Barnstaple* has a singular interest. It represents a type of social life antecedent to the Norman Conquest at least five hundred years, and is coeval with the earliest institutions of the continental Saxons. In the first essays of communities to form a government, taxes were payable in kind. It was so in Virginia before, and during, and since the Revolution. The more perishable products were disposed of as soon as possible; but such commodities as, in the words of Bailey, "do not marr or perish," such as wool, lead, tin, &c., were kept in barns or houses that were called *staple*, from the Saxon *stapul*, a market. Both "barn" and "staple" are Anglo-Saxon, and simply mean a market-house for holding commodities not liable to perish. The word is as old as the Saxon tongue. But the common word *Barnstable* is a mongrel, composed of the Saxon word *barn*, and the Norman (Latin) *stabulum*, a stable; could never have been formed either by the Saxons or Normans, who never mingled tongues; and has no historical meaning whatever.

I am thus particular in my remarks on this old error, because the names of English persons and things disclose to the critical observer no unimportant part of the history of England herself. They are so many stars twinkling through the long and doubtful darkness of the past, and enable us, if not to advance with the confidence of open day, at least to steer in a right direction, and to reach the haven at last. Let us take at random the names of three or four of your members that have just met my eye,—those of Folsom, Frothingham, Lothrop, or Winthrop, and Deane. These four names indicate four remarkable epochs in English history, and commemorate them. I once had a pleasant talk with that good man and scholar, the late Mr. Folsom, about the derivation of his name; and he took down a book of the early records of New England, in which his name was spelt Fowlsham,—the home or abode of the fowl, or, in plainer English, Chickentown. Afterwards, on a more minute inquiry, I found that Fowlsham was a corruption of Fulsham, which, according to Fuller, a high authority, is itself a corruption of Julsham, the settlement of Julius Cæsar. So that the word Folsom, instead of meaning Chickentown, really sig-

* The English spell Dunstable with a *b* instead of a *p*; but this is probably an error not older than two or three centuries.

nifies a settlement or village named in honor of Julius Cæsar. Here we see the fact of the possession of England by the Romans, and the commemoration of that possession, after an indefinite lapse of time, by their successors the Saxons.

The name of Frothingham tells the story of a period of time intervening between the invasion of Julius Cæsar and the advent of the Saxons. In that interval the Dane made his entry into England, built places, and named them; and one of those places was called in honor of Frotho, the eldest son of the King of Denmark, who afterwards became king; and the name of Frothingham reads thus: *ham*, the abode, *ing*, the plural of son, and Frotho, — the settlement of the family of Frotho. And, as the name was given by the Saxons, it proves that the great struggle between the Danes and the Saxons had taken place, and that the latter had won the day.

Such names as Lathrop, Lothrop, and Winthrop, betoken the firm establishment of the Saxon dynasty, which proceeded to name the settlements of the country in its own tongue. Thus, Lathrop, from the Saxon *hlaw*, which signifies a mound or rising ground, is a hamlet on a hill; Lothrop, the hamlet on the low ground or plain; and Winthrop, the victorious village, or the home of the winner.

The name of Deane recalls the most remarkable conquest of England in its annals. All the points and places of the country had been named for generations, and even for centuries, before the Norman Conquest, and prove that the Saxon had held a thorough sway during that interval. But the Norman comes, destroys the Saxon power, and constructs new courts and a new religion. The Conqueror could name no places, for these had been named already; but in his courts and in his churches new officers, unknown to the law and the religion of the Saxon, were introduced; and we have the Chancellor (*cancellarius*), the Sergeant (*serviens*), and the Marshal (*martialis*) in the courts, and the Dean (*decanus*) in the Church. You will thus perceive that the mingling of Saxon and Norman words in a single name not only involves a serious anachronism, but is a blunder which never could have been made for several centuries after the Conquest, and never would have been made at all by a Saxon or a Norman, so long as each retained the peculiarities and prejudices of his race.

The letter of Mr. Fay respecting Holmes' Hole, &c., deserves a passing remark. I fully concur with him and with Mr. Taylor, whose admirable work on "Words and Places" he quotes, on the vandalism of substituting some new name for an old one that is contemporaneous with the first settlement of a country. Such a policy, though not so injurious for the present, frequently entails most embarrassing consequences on succeeding ages. It may lead to serious perplexities in private titles, and unfix the boundaries of States. Many instances might be cited in point. The meaning of the word *hole* is primarily a hollow or excavation, and figuratively a harbor. It is derived from the Anglo-Saxon; and Jamieson, in his dictionary of the Scottish language, which retained more faithfully its Anglo-Saxon element than the speech of the English, gives *holl*, a verb, to excavate; and *holl*,

a noun, an excavation. The word *hole* was a favorite with the English for centuries before the Conquest, and was freely applied to matters and things belonging to the sea. The part of a vessel that held the cargo was called the *Hole*, and had a historical reference to the construction of a canoe by hollowing a tree; but it gave way latterly to the more euphonious word *hold*, which was properly applied to a fortress as a place of security from an enemy, but very improperly to a place of deposit for a cargo. It was given freely to places on rivers or on the coast; and it is probable that every river contained many places so called. When it was applied to a large bend of a river, that part most frequented by vessels was called *Hole-haven*; and one place so called has a historical significance in connection with the Dutch invasion of the British waters during the reign of Charles the Second, and especially during the London Plague of 1666.* A site on the Thames, opposite to the present Houses of Parliament, was known as late as the eighteenth century as *Stangate Hole*, and is often mentioned by Pepys; but lost its name, according to Lord Braybrooke, by absorption in the present dockyard of Searle and Godfrey.† When the early navigators approached the coast of New England, they bestowed the old and familiar name on a number of places, as had already been done in Virginia, where we have *Sleepy Hole* still a living name, which was given to a part of Nansemond River about ten miles from its entrance into Hampton Roads, probably by Captain Smith's men, who may have reached it by water, or in their overland route towards Carolina. It was always given, so far as my researches go, to places accessible from the sea. I may add, in reference to a remark of Mr. Fay, that there is not a hill or elevation in the whole region through which the Nansemond runs.

The fact that the name of *Hole* does not appear on the modern map of England may be explained on the ground that, in a country so crowded with names, many must be omitted from common maps, and that such places have been absorbed by the growth of ages. But its absence is mainly an illustration of the destruction of the names of places, and of the places themselves, by the political and agricultural changes of a thousand years. Innumerable settlements on the coast and in the interior, from which so many of our present surnames were taken, have ceased to exist. They can no longer be found on the map or in living memory. The first great change began with the Norman Conquest in 1066, more than eight hundred years ago. The absorption of the small Saxon homesteads and hamlets, from which so many of those names were taken, by the extension of the estates of the Norman barons, caused the names to perish from *non-user*. But a still greater destruction of the names of places was the consequence of the agricultural policy which ran through several generations, and culminated in the reigns of Henry the Eighth and Elizabeth. I allude to the change from tillage to pasturage. Again and again were acts of Parliament passed to arrest so fatal a policy, but in vain. In large

* Pepys's Diary, &c., vol. iii. 176, Am. Ed. † Pepys's Diary, &c., iv. 283.

sections of country tillage was comparatively abandoned, and the lands were laid down in grass. Hume mentions the fact that, in the reign of Henry the Eighth, a single proprietor, whose ancestor probably owned sheep in the ordinary proportion to the stock of a farm, had from twenty-five to thirty thousand head. In this revolution, which broke up old homesteads, and drove away the people, hundreds of names of places on the seaboard and in the interior were lost. There is something of the same policy now prevailing in Ireland, in consequence of acts of Parliament passed during the last thirty years, and in the extensive domains of the Duke of Sutherland in Scotland.

The death of J. Francis Fisher, Esq., of Philadelphia, came upon me unexpectedly. He was almost the last of a brilliant coterie of scholars and professional men, which, thirty years ago, made his native city a charming sojourn of those who delighted in letters and the arts. The graceful remarks of the President, and the well-weighed words of Mr. Hillard, show a just appreciation of his sterling worth. Perhaps, in connection with his membership of a historical body, it may not be out of place to say that he was a lineal descendant of Major-General John Harrison, one of the judges of Charles the First. Sir Walter Scott was very fond of quoting, both in conversation and in print, Pepys's account of the execution of the General, and represented him in "Woodstock" and elsewhere as a butcher by trade, as does also Lord Braybrooke in his notes to Pepys; but Mr. Fisher peremptorily denied the truth of the statement, and showed, from authorities that seemed to be conclusive, that he was a prosperous farmer, and raised cattle and other animals as well, for the Smithfield market, and that this was his only connection with the breed of horned people. It is one of the singular coincidences that now and then flash upon us in the domestic annals of our country, that some of the families most highly distinguished by social, intellectual, and religious culture, on the banks of the Delaware and of the James, are sprung from the loins of one of the judges of Charles the First. To recur to the band of eminent men who flourished in Philadelphia the third of a century ago, and are now deceased, I cannot recall more than two who reached the age of eighty. Professor Tucker, who lived to the age of eighty-six nearly, and who died from an injury inflicted by the fall of a bale of cotton upon him in crossing the deck of a steamer, had not then made the city his winter residence. Mr. Duponceau reached eighty-four, and Professor Coxe ninety-one; but none came up to the mark of your patriarch, Josiah Quincy. One yet survives who has gone beyond it, and I sincerely trust that he may live yet longer to let us see the material of which the men of the past were made.

Among the brightest gems of the volume is the tract of Captain John Smith, entitled "New England's Trials," accompanied by your most instructive and appropriate remarks. I wish some separate copies had been struck off, in order to give this work of our common hero a free circulation among the people. But I have time only to say that, valuable as is each volume of your "Proceedings," its usefulness is more than quadrupled by the full and most faithful index at its close.

With the exception of the indices prepared by Dr. Allibone for the Speeches of Mr. Everett and for the Life of Irving, I know nothing to compare with it. With great regard, I am very truly yours,

HUGH BLAIR GRIGSBY.

To CHARLES DEANE, LL.D.,
Cambridge, Mass.

P.S. — I perceive that Mr. Whitmore alludes to the relationship of one branch of the Russells of Massachusetts as anterior to the date of the elevation of the Russells to the peerage. This may well be, as nearly all persons of the same name in England, whose names are not derived from places, or from the forest, or from trades and professions, usually are. But the Russells were ennobled as early as 1538. They derive their name from the color of red.

Professor WASHBURN spoke of a brief visit he had recently made to the Province of New Brunswick, and the cordial manner in which he had been received as a citizen of Massachusetts, towards whom he found a strong feeling of neighborly kindness and regard existing among the citizens of St. John and other considerable places. He ascribed this, in part, to the frequent intercourse which, of late years, had been increasing between the two, by the way of trade and travel, and, in part, to the number of families settled in New Brunswick, whose ancestors emigrated from Massachusetts. He was surprised to find these so numerous, and was much gratified to discover that, whatever feeling might once have been entertained of wrong or injury on the part of the emigrants who had been obliged to leave the State at the time of the war of the Revolution, it was no longer cherished. On the contrary, whenever they spoke of Massachusetts, it was with kind remembrances of it as having been the home of their ancestors. In Mr. Sabine's interesting volumes was a long and probably complete list of these families; and, while it would be in bad taste to speak personally of individuals to whose courtesy he was indebted for civilities, Mr. Washburn thought he might speak of two or three of these families, whose names were associated with our own local history, without doing violence to any proper reserve. General Hazen, of our Revolutionary army, had been a resident near St. John till he joined the American army, and members of his family were still found there. One of these was the Recorder of that city, and a grandson of the distinguished Colonel Murray, who formerly lived, in a somewhat baronial style, in Rutland, in Worcester County, and became a refugee at the breaking out of the Revolution. The grandson was kind enough to invite Mr. Washburn to visit his house, to see a por-

trait of Colonel Murray, painted by Copley, which the original owner had been obliged to leave hanging in his parlor, when escaping from a threatened domiciliary visit of a body of volunteer troops, who, on finding he had escaped, manifested their disappointment by stabbing a couple of holes through the canvas with their bayonets, which are still visible.

Of the distinguished names associated with the history of both Massachusetts and New Brunswick, he would mention those of *Putnam* and *Upham*. James Putnam was of Worcester, a lawyer, and among his students was John Adams. He had no superior at the Massachusetts Bar. Joshua Upham was of Brookfield, and a prominent member of the same profession. Both, afterwards, were justices of the Supreme Court of New Brunswick. Putnam settled at Fredericton, Upham at St. John. A daughter of the latter became the wife of one of the present judges of the same court, and their son was now a prominent member of the bar of the province. A son of Judge Upham, having made his home in Massachusetts, had for many years been a distinguished member of this Society.

Mr. Washburn asked indulgence while he added a few words as to a settlement upon the St. John and Madawasca Rivers, through which he passed on his way from Fredericton to Canada. It extends from a few miles above Grand Falls in the St. John, into Canada, and consists, as he was told, of what were called the French Neutrals, the descendants of the Acadians who escaped from Nova Scotia in 1755, to avoid the cruel and barbarous expulsion and exile of that harmless people. The place to which they retreated was then far beyond any access by the ordinary modes of travel, and there they were suffered to grow and multiply undisturbed, for a half century or more, by any outside intruders, in a state of primitive simplicity, without recognizing any government but that of their priests, and answering in many respects to the description given by Mr. Longfellow and others of their habits of life in Grand Pré. Since the settlement of the boundary line between Maine and New Brunswick, they regard themselves as the citizens of the one or the other, as their villages lie upon one side or the other of that line, though chiefly within the latter province. They seem, however, to have undergone very little change from their primitive condition and habits of life. With the exception of a few ordinary artisans, they are all agriculturists, and their clothing is of domestic manufacture. After their crops are planted, they seem to have little or nothing to do till they are ready for harvesting; and scores of them may be seen, of a bright July afternoon, sitting idly in their cot-

tage-doors, or in social conversation by the wayside. Their log houses seem to be running over with children, but he saw nothing which he supposed was a school-house. Their numbers must be quite large, as their villages extend fifty or more miles, through the whole length of which one would rarely hear a word of English spoken. Marks of their devotion to the faith of their ancestors are to be seen every few miles along the highway which now unites New Brunswick with Canada, following the banks of the St. John and the Madawasca. This was one of the routes by which the rebels from the South, landing at St. John, made their way to Canada, many anecdotes of which are still repeated by the people along the way. He was struck with some surprise, upon entering a remarkably neat little parlor of a house kept as a hotel, to find its walls covered with rather rude pictures of saints and martyrs; and in the midst of these, and larger than a score of them, a life-sized lithograph head and bust of General Lee, in full regimentals. It looked a little incongruous, as the time has hardly yet arrived to canonize that distinguished gentleman. Mr. Washburn said he ought, perhaps, to apologize for having dwelt at such length upon what might seem the mere personal observation of a hasty traveller. But the opening of new lines of travel was rapidly changing the condition of these early settlements, and it seemed to him to be not wholly inappropriate to notice what was still to be seen among the descendants of that interesting people who first planted themselves upon the banks of the beautiful upper St. John, in the then unbroken wilderness of New Brunswick.

The Recording Secretary read a letter from our Corresponding Member, the Rev. Leonard Woods, D.D., in which he described the lamentable destruction of his valuable library by fire, in his house at Brunswick, Maine, on the 8th instant.

Mr. T. C. AMORY called the attention of the Society to the statues of Governor Winthrop and Samuel Adams now in preparation for the National Gallery at Washington. That of Governor Winthrop, which he had been permitted to see in the studio of the artist, Mr. Greenough, at Newport, promises to prove as great a success as is that of Dr. Franklin in front of the City Hall. That works of art even of this character are liable to destruction, is sadly proved by recent experience, and it seems well worth while to consider the expediency of having both the Winthrop and Adams repeated in bronze or marble, either at the cost of the City or State, to be retained here. At Washington they will be seen by visitors to the National Capitol, but not by

our own people. The value of statues in public places, in keeping us familiar with historical events in which the distinguished personages they represent participated, will be readily admitted. Under our republican system this is of especial importance; for upon these memories being kept fresh depends, in a measure, its preservation. It also behooves us to show due sensibility for public service by commemorative monuments, and Boston owes a debt unpaid to these great characters selected as representatives of Massachusetts in the past at the Capitol. Appropriate places can be assigned for both, and we trust in time room will also be found in our malls and squares for John Adams and James Otis, Hancock and Paul Revere; for Pepperell and Wolfe; for Dudley, Endicott, and Bradstreet; for William Blackstone; for Samoset, Hobomok, and Massasoit, and many more not yet sufficiently honored.

He made the suggestion of taking seasonable measures to procure duplicates for Boston of these statues for the National Gallery, on his own motion, and without consultation with the artist, committee, or representatives of the personages to be commemorated. Such a proposition could emanate only from the public; and as one of the public, believing it eminently worthy of consideration, he ventured to bring it to the notice of the Society, which had an especial interest in the increase and preservation of our State and National monuments. But this is with no view that the Society should take any formal action, but that its members who think well of the suggestion may, as individuals, further it, as they have opportunity.

SEPTEMBER MEETING, 1873.

A stated meeting was held on Thursday the 10th instant, at eleven o'clock, A.M.; the President in the chair.

The Recording Secretary read the records of the preceding meeting.

The Librarian read the list of donors to the Library for the past month.

The Corresponding Secretary read a letter of acceptance from Professor William Gammell, LL.D., of Providence, R.I., who was chosen a Corresponding Member at the last meeting.

The President read a letter from the Rev. Thomas Hill, of Portland, Me., saying that he had been a citizen of that State

since July last, and noticing the fact that thereby he had ceased to be a Resident Member of this Society.

The following resolve was passed:—

Whereas, The Rev. Thomas Hill, D.D., late a Resident Member of the Society, has already paid the commutation for his annual assessments during his life; therefore

Voted, That the future regular publications of the Society be sent to Dr. Hill, as they shall be issued.

The President read the following letter from the Hon. C. J. Hoadly, of the Connecticut State Library:—

HARTFORD, August 26th, 1873.

DEAR SIR,—I have sent, in a parcel addressed to the New England Historic Genealogical Society, a copy of vol. 7th of "Colonial Records of Connecticut," 1726-35; and of the "Journal of the Constitutional Convention of Connecticut," 1818, designed for the Massachusetts Historical Society.

In the volume of "Proceedings," 1860-62, pp. 64-80, 165-171, are printed the briefs in the case of Phillips v. Savage, relating to the Massachusetts law regulating the settlement of intestate estates. Has the Massachusetts Historical Society a copy of the Decree of the King in Council in that case? If not, I could supply one from a copy sent to Governor Talcott, probably by Mr. Jeremiah Allen, of Boston, which I found among some papers in the Connecticut Historical Society. It would make about four printed pages.

Very respectfully yours,

CHARLES J. HOADLY

Hon. ROBERT C. WINTHROP, LL.D., Boston.

The President said he had already acknowledged the letter, with the assurance that the paper would be most acceptable.

The President read a letter from Mr. Frank M. Etting, of Philadelphia:—

PHILADELPHIA, August 27th, 1873.

Hon. ROBERT C. WINTHROP, President, &c.,
Massachusetts Historical Society.

DEAR SIR,—The above photograph represents the Old Liberty Bell restored to its original framework, and installed in the vestibule of Independence Hall. A sketch of its history is attempted in the enclosed. In order to give this interesting relic of Revolutionary days a conspicuous place, it became necessary to shorten by about two inches the beam from which the bell depended in 1776; and I would not that even this fragment be lost, but venture to hope it may be of sufficient interest, from its associations, to find a place in your invaluable museum.

I am, sir, most truly and respectfully yours,

FRANK M. ETTING.

A slip from the "American Historical Record" of January, 1873, and one from another publication, giving a history of the "Old Liberty Bell," accompanied the piece of wood; and the thanks of the Society were ordered.

The President noticed the decease of a Corresponding Member, the Hon. Henry Black, of Quebec, as follows:—

The Honorable Henry Black, who was chosen a Corresponding Member of this Society in 1840, died on the 16th ult., at Cacouna, one hundred and twenty miles below Quebec, during a temporary visit for the benefit of his health. He was a son of James Black, of Jedburgh, Roxburghshire, Scotland, but was himself born in Quebec, on the 18th of December, 1798, and had thus nearly reached the seventy-fifth year of his age. A lawyer by profession, he was appointed, in 1836, Judge of the Vice-Admiralty Court for Lower Canada, and continued to discharge the duties of that office until his death,—an unbroken term of thirty-seven years. He was repeatedly solicited by the Government of Canada to exchange this position for a seat on the Queen's Bench, and, so lately as 1866, he was offered the Chief-Justiceship of the Superior Court. The Attorney-Generalship and the Solicitor-Generalship of Canada were also tendered to him, at different periods of this long term. But he adhered resolutely to the Admiralty Court, and he has left behind him a valuable volume of "Reports" of his decisions in that Court, edited by his relative, the Honorable George Okill Stuart, which are referred to as authority in English and American courts, on important questions of maritime law. He was well known, judicially and personally, by our own Mr. Justice Story, by Chancellor Kent, and by other eminent jurists; and he was highly esteemed as a friend by not a few of our best citizens, who had made his acquaintance during his repeated visits to Boston. Some of us had enjoyed his genial hospitality in Quebec. During a brief service, as the Representative of Quebec, in the Canadian Parliament, in 1841, he was eminently influential in carrying through the Codification of the Criminal Law,—now forming the criminal law of the whole Dominion.

Judge Black received the honorary degree of Doctor of Laws from Harvard University in 1846; and some years ago was made a Companion of the most honorable Order of the Bath, by the Queen.

He was a man of great integrity, independence, and purity of character, and an earnest member of the Church of England. Having never been married, he owed the chief comforts of his domestic life to a devoted niece, who is the wife of a grandson of the late Governor John Brooks, of Massachusetts, whose

name has been already given in connection with his Reports, a son of the late Archdeacon George Okill Stuart, who was a graduate of Harvard in the Class of 1801.* This connection, doubtless, led to those occasional visits to New England, which were always welcome to his friends, and which afforded them the opportunity of appreciating his sterling qualities of mind and heart.

The President called attention to a copy of Mr. A. T. Perkins's new book, entitled "Copley's Life and Paintings," which the author had presented to the Society.

Edward A. Freeman, D.C.L., of England, was elected an Honorary Member.

Mr. APPLETON exhibited a French caricature, obtained in Paris, which has this inscription: "Vente des deserts du Scioto, par des Anglo-américains. Le Citoien Mignard signale aujourd'hui des Compagnies anglaises qui vendent des terres imaginaire dans les États-unis; pour mieux leurrer les dupes, ils arrangent des Cartes géographiques, convertissent les rochers deserts en plaines fertiles, montrent des chemins fraîés sur des roches inabordables, et proposent des actions pour des terrains qui ne leur appartiennent pas; l'ouvrage du C^m Mignard se vend 15 sols, et se trouve rue Taranne, No. 24." He read a short paper illustrative of the caricature, as follows: The Scioto Company was founded in 1787 or 1788, and Colonel William Duer and Rev. Dr. Manasseh Cutler seem to have been the principal originators. In 1788 Joel Barlow went to Europe as agent of the Company, with proposals and maps. A map is seen hanging on the wall in the caricature, and a small fac-simile may be seen engraved in Howe's "Historical Collections of Ohio." The proposals contained, at great length, statements similar to those alluded to on the caricature. They are partially quoted in Volney's "View"; and the author, who visited in 1796 Gallipolis, the principal town of the settlement, writes as follows: "In France, at Paris, . . . the picture was too brilliant, and the inconveniences too remote, for the bait not to take effect. The counsels, and even the example, of people possessing wealth, and supposed to be intelligent, added to the persuasion. Nothing was talked of in the Parisian circles but the *free* and rural life to be led on the banks of the Scioto. At length the publication of Mr. Brissot's travels, who just at this time returned from the United States, completely established the common opinion; and purchasers became numerous, chiefly

* The Hon. George Okill Stuart has since been appointed by the Crown the successor of Mr. Black, as Judge of the Admiralty at Quebec.



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Anglais qui vendent des terres imaginaires dans les Etats unis; pour mieux faire les dupes ils
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 posent pour l'usage du C^{te} Noyard de vend 25 sols, et 36 francs par acre, sans en avoir.

among people of the middle class, and the better sort of this class, whose morals are always the best. Individuals and whole families disposed of their property, and thought they made excellent bargains in buying land at five shillings an acre. . . . About five hundred settlers, all of them mechanics, artists, or tradesmen in easy circumstances, and of good morals, arrived, in the course of 1791 and 1792, in the harbors of New York, Philadelphia, and Baltimore," and finally settled at Gallipolis, as before stated. In Howe's Collections, it is said that among the settlers "were not a few carvers and gilders to his Majesty, coach and peruke makers, friseurs, and other *artistes*, about equally well fitted for a backwoods life, with only ten or twelve farmers and laborers." An account of their troubles and sufferings may be read in Volney's work, before quoted. (See the English translation, London, 1804, pp. 355-366.)

On motion of Mr. WHITMORE, it was

Voted, That the Recording Secretary be instructed to report, at the next meeting of the Society, a list of all its committees now existing, with the date of their appointment, the names of the members, the duties assigned them, and the limit of their duration.

Dr. HEDGE presented to the Society, with some remarks upon it, a printed broadside, being the order of exercises at the Commencement at Harvard College for 1767. He thought no copy of this was in the college library.

The PRESIDENT then read portions of a copy of the speech of Sir Walter Raleigh on the scaffold, October 28, 1618, which he had found in the MS. Common-Place Book of his ancestor, Adam Winthrop, the father of the first Governor Winthrop, introducing them as follows:—

It may be remembered that at our Stated Meeting in November last, when we had the pleasure of welcoming Mr. Froude to Boston, I alluded to a contemporaneous account of the Execution of Mary, Queen of Scots, which I had found in the Common-Place Book of Adam Winthrop, the father of the Governor of Massachusetts in 1630. I did not suppose that it contained any thing new in regard to that event, and I had many misgivings about offering it for publication. But no one was able to point to the same precise version of that sad story in print; and our Committee of Publication thought proper to include it in our last volume of Proceedings, where it has been read with interest, as I have reason to know, both at home and abroad.

In the same old manuscript Note-book, I have found several other accounts of historical events of a somewhat similar character, carefully copied out from seemingly authentic sources; and, among them, "The Confession and Execution of Sir Walter Raleigh." Sir Walter was executed in October, 1618, when Adam Winthrop was living at Groton, England, at seventy years of age,—a magistrate of the old county of Suffolk, who, a few years before, had resigned the Auditorship of Trinity College, Cambridge, which he had held for sixteen or seventeen years. His son, who twelve years afterwards came over to New England as Governor of Massachusetts, was then about thirty years old. Both of them were thus in the way of taking an intelligent interest in the public affairs of their country, and both might have personally witnessed the execution of Raleigh, had they chanced to have been in London at the time. I find no evidence that either of them was there. Meantime, no newspaper had as yet been published in England. The first regular English newspaper, entitled "The Weekly News," dates from 1622. It may thus not be without interest to inquire, from what original, in manuscript or in print, this account of what is called "The Confession and Execution of Sir Walter Raleigh" was copied, or from what source it was procured.

A new and elaborate Life of Sir Walter, together with his Letters, "now first collected," has been published in England within the last five years, by Mr. Edward Edwards, the author of "Memoirs of Libraries," and other works, which gives a detailed report of Raleigh's speech on the scaffold, in regard to which the author says, in a note, as follows: "In this speech I have very much followed Archbishop Sancroft's transcript, preserved amongst the Tanner MSS., but have collated it with other reports. *No known report can, I think, be trusted exclusively.*" This work was published in 1868. In the following year (1869), Mr. James Augustus St. John, who had previously published a Life of Raleigh, gave a new edition of it to the public, in the preface to which he says, with plain allusion to the Life by Mr. Edwards, as follows: "Since the first publication of this biography, another Life of Sir Walter Raleigh has been laid before the public. This performance must have been produced some years ago, since the author is unacquainted with the discoveries recently made at Simancas and Madrid, which have thrown an entirely new light on the latter portions of Raleigh's Life." Mr. St. John, accordingly, in the last chapter of his volume, in describing the death of Raleigh says: "He made a short speech, the meaning of which

has scarcely been preserved. What we possess under that name it is impossible he should have uttered, unless we assume the letter to James of the 5th of October, together with his examinations, and those of La Chêne, and all his communications with the French authorities, to be forgeries. Had he denied, as he is said to have done, that he ever saw any commission, letter, or seal, from the French King, his admission to the contrary in his own handwriting would doubtless have been produced on the scaffold, to confound and silence him. We must consequently believe, either that the documents referred to were mere fabrications, or that several gentlemen who were present at his death, and heard him deliver his farewell address to the world, either misunderstood his language, or purposely misrepresented it." Upon this ground, Mr. St. John omits any detailed report of the speech, consigning the received versions of it to entire discredit. At the same time he candidly states that the original of Raleigh's letter to the King of October 5th has not been discovered, and that it is only produced in the form of a "retranslation from the Spanish version, to be found in the General Archives of Simancas." From the same source have recently come the conflicting and contradictory replies of La Chêne, the French Secretary, at his successive examinations before the English Council of State, in the first two of which he positively denies almost every thing which he confesses in the third.

Now, as to the letter of October 5, nothing can perfectly convince one that Raleigh wrote that letter within twenty-four days of his death, except the production of the original in his own handwriting, or certainly with his own unmistakable signature. Mr. St. John himself, in the paragraph with which he precedes it, gives us no small ground for suspecting the genuineness of all such copies. "Sir Thomas Wilson," he says, "it cannot be doubted, received both from the King and his Secretary [Sir Robert Naunton] orders to extract from Raleigh, by solemn promises of pardon, such admissions and confessions as, in the opinion of those who were to judge of them, would compromise his life. In doing this, he was to insinuate, though not positively to assert, that he had high authority for the language he employed: if the bait took, his masters were to disavow his proceedings, and overwhelm him with censure, but to base nevertheless upon his artifices the destruction of their victim. Naunton acknowledges frankly that such was the practice; and the number of heads which were thus brought under the axe was doubtless considerable." The admissions and confessions of this letter might thus seem to have been extracted or extorted

from Raleigh by a base agent of the King and his Secretary, "by solemn promises of pardon," which were to be disavowed as soon as "the bait had taken," and the letter used to justify his execution. The men capable of contriving such a trap would be entirely capable of forging the letter. But it is not necessary to suppose forgery in its full meaning. What more natural than that a man, charged with the execution of such a villany, should have prepared a draft of the letter containing "such admissions and confessions as, in the opinion of those who were to judge of them, would compromise his life," and to offer it to the destined victim for adoption? How else could it be made sure that enough for the purpose would be admitted and confessed? If such a draft were made, — even though it were indignantly rejected, — there might well be a "retranslation from the Spanish version, to be found in the General Archives of Simancas," and yet no original letter written and signed by Sir Walter Raleigh. The letter may indeed have been written and signed by Sir Walter; but the style is quite unlike that of others of his letters to the King, and it has too much the character of a made-up letter, which Wilson, under the instigation of Naunton and his master, had arranged to meet the exact exigencies of the case.

A most striking illustration of the manner in which Sir Thomas Wilson, well called "Raleigh's gaoler and the King's spy," arranged the examinations, and concocted the correspondence of his victim, may be seen in the second volume of Edwards's *Life and Letters*, at pages 364–5, and so to page 373. On page 370, there is given a letter from Raleigh to his wife, "from a copy in the hand of a clerk of Sir Thomas Wilson, made, as it seems, *before the delivery of the letter* to Lady Raleigh"; and on the same page is found Lady Raleigh's reply, "from a copy, made as above, and upon the same sheet." On page 372, will be seen another letter of Raleigh to his wife, "from a copy made by Sir Thomas Wilson, *before, as it seems, the original was delivered* to Lady Raleigh." The Prefatory Note to this last, on the previous page (371), is most instructive. It is as follows: "The letter to which this is an answer appears to have been written by Lady Raleigh, at the instigation either of Secretary Naunton, or of some other person about the King. Neither the letter nor any copy of it is now to be found among the State Papers. But it is plain from the correspondence between Naunton and Wilson that, whilst the writer must have fondly hoped that some benefit would result to her husband from his answering the questions she was instigated to put to him, the ingenious

contrivers had a purpose directly the opposite of this." (See the whole note.) What faith is to be put in the accuracy of copies which have passed through such unclean hands! Mr. St. John describes this course of proceeding as follows: "If he [Raleigh] requested permission to write a few lines to his wife, Naunton and James had to be consulted before so poor a favor could be granted, and when written — though this he did not know — his letters were subjected to the scrutiny of both Secretary and Monarch before they reached their destination. In fact, his seal was broken, and the letters having been read were resealed and returned to Wilson, who then sent them to Lady Raleigh, whose answers were subjected to the same examination!"

An interesting account of Raleigh's death may be found in a late "Chapter of English History," entitled "Prince Charles and the Spanish Marriage," by Samuel Rawson Gardiner, Esq., who speaks thus of the letter to the King, which Mr. St. John regards as discrediting the reports of the speech on the scaffold: "And so the wretched game of falsehood on both sides went on; till at last, on the 25th of September,* Raleigh, weary of the struggle, wrote to the King, acknowledging that he had sailed with a commission from the Admiral of France, and that La Chesnée had, by Le Clerc's directions, offered to assist him in his escape." But, while thus admitting the letter, Mr. Gardiner admits also the genuineness of the speech. "As soon [says he] as he had mounted the scaffold, he asked leave to address the people. His speech had been carefully prepared. Every word he spoke was, as far as we can judge, literally true; but it was not the whole truth, and it was calculated in many points to produce a false impression on his hearers." "On the commission which he had received from the French Admiral he was altogether silent, but he was emphatic in repudiating the notion that he had ever received a commission from the French King." He adds, in a foot note, "The part which relates to the French commission is a marvel of ingenuity. Not a word of it is untrue, but the general impression is completely false."

We have thus three accomplished English writers, within a few years past, adopting widely variant views of the same facts: one, accepting and indorsing the speech; the second, discrediting it altogether; and the third, accepting it in its literal sense, but pronouncing its general impression, on one

* We presume that the letter here styled of September 25th is the same with that of October 5th, the difference of ten days being that between old and new style.

point at least, "completely false." The speech itself by no means loses its interest in the face of such conflicting judgments, and every contemporaneous version of it may haply aid in solving the problem of its authenticity and of its truth.

Let us turn then to the speech and the contemporary accounts of it. The earliest notice of it which we have been able to find is in a Letter of Rev. Thomas Lorkin to Sir Thomas Puckering, Bart., printed in Birch's "Court and Times of James the First" (vol. ii. p. 99). It is dated November 3, 1618, just a week after the execution of Raleigh, in which the scene and the speech are described minutely, and in substantial conformity to the detailed report given by Mr. Edwards. Next, in order of date, is a letter, found at page 104 of the same volume, from John Chamberlain, Esq., to Sir Dudley Carleton, then Minister at the Hague, which, after acknowledging some papers he had received from Sir Dudley, proceeds as follows: "For some part of amends, I return you two papers in exchange; the one a letter from Sir Walter Raleigh to the King, before he came to Salisbury; and withal half a dozen verses he made the night before his death, to take farewell of poetry, wherein he had been a pidler even from his youth. The other is a remembrancer left with his lady, written likewise that night, to acquaint the world withal, if perhaps he should not have been suffered to speak at his death, as he was cut off from speaking somewhat he would have said at the King's Bench; and they had no thanks that suffered him to talk *so long* on the scaffold;* but the fault was laid on the sheriff, and there it rests. His lady had been to visit him that night, and told him she had obtained the disposing of his body. To which he answered smiling, 'It is well, Besse, that thou mayest dispose of that dead, that had'st not always the disposing of it when it was alive'; and so dismissed her anon, after midnight, when he settled himself to sleep for three or four hours." A third notice of the scene and speech is in a letter from Dr. Robert Tounson, Dean of Westminster, afterward Bishop of Sarum, who attended Sir Walter Raleigh on the scaffold, and wrote a letter to Sir John Isham, dated November 9, 1618, only a fortnight after the event of which he had been an eye-witness, in which he says: "I hope you had the relation of Sir Walter Raleigh's death; for so I gave order, that it should be brought unto you. I was commaunded by the lords of the counsayle to be with him, both in prison and att his death as nere as I could: there be other reports of itt, but that which you have from me is

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We are not in the way of ascertaining exactly where Archbishop Sancroft's account in the Tanner MSS. came from. The Archbishop himself was born in Suffolk County, England, in January, 1617, which, according to old style, would be less than one year before Raleigh's death. Of course, he could have had no personal knowledge on the subject.

The account contained in Adam Winthrop's Common-Place Book was undoubtedly written soon after the event,* and it is substantially Craford's account. Now and then there is something transposed or omitted; and now and then there is a difference of phraseology. But after a careful comparison it can hardly be doubted that it was taken from the "pretily penned" report which the Dean of Westminster described, and of which he said that Craford "meaneth to putt itt to the presse." It may have been printed on a broadside at the time, but we believe that not even the countless treasures of the British Museum, as thus far searched, contain a contemporaneous printed copy. The earliest printed report of "the Speech on the Scaffold," to which any allusion has been found, bears date 1648; † but of that no copy is at command for comparison. We should hardly know where to look for one on this side of the ocean. The earliest within reach is that appended to the Life of Sir Walter, printed in 1677, of which our Recording Secretary

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(Mr. Deane) has a copy in his valuable library, which he has kindly placed at our disposal, with other rare volumes on the subject. That version of the Speech conforms, also, to the one ascribed to "Crawford or Craford" in the Somers Tracts, but with some omissions and variations of phraseology. Under such circumstances Adam Winthrop's copy may have an interest and even a value. It may, at least, contribute something to "the various readings" out of which the true version is to be made up, if it has not been made up already.

Few greater men have ever lived in England, or anywhere else, than Raleigh. No man contributed more, if so much, towards the earliest American Colonization. "It was Raleigh," says Mr. Edwards, "who, in the teeth of Spain, when at her prime, laid the first foundations of the British Colonies in North America. . . . The future destinies of America, as well as the profits of a new trade, were with him themes of thought, of conversation, and of active effort, from the age of thirty-two (when he first joined in the enterprise of his half-brother (Sir Humphrey Gilbert) to his latest hour of life." No man has left grander monuments of enterprise, courage, and genius. That after a long and dreary imprisonment in the Tower, he should at last have been beheaded, at a day's notice, under a sentence passed fourteen or fifteen years before, which Bacon himself has been stated to have said was virtually superseded by his commission for Guiana, was an unspeakable atrocity. Well does John Forster, in his admirable Life of Sir John Eliot, pronounce it "the climax and consummation of the baseness of James's reign; — a shameless sacrifice of one of the greatest men of the English race to the rage and mortification of the power most hated by Englishmen." Sir John Eliot, an eye-witness, as is believed, of the tragedy, — himself afterwards a martyr to Free Speech, — has included a description of Raleigh's bearing on the occasion, among his illustrations of the "Monarchy of Man." "Matchless, indeed," says he, "was his fortitude! All preparations that were terrible were presented to his eye. Guards and officers were about him, the scaffold and the executioner, the axe, and the more cruel expectation of his enemies. And what did all this work on the resolution of our Raleigh? Made it an impression of weak fear, or a distraction of his reason? Nothing so little did that great soul suffer. He gathered only the more strength and advantage; his mind became the clearer, as if already it had been freed from the cloud and oppression of the body; and such was his unmoved courage and placid temper, that, while it changed the affection of the enemies who had come to witness

it and turned their joy to sorrow, it filled all men else with admiration and emotion, leaving with them only this doubt, whether death were more acceptable to him or he more welcome unto death."

All this does not look like the bearing of a man who had a lie, or even a prevarication, in his mouth. It is true, however, that the standard of morality, public and private, was any thing but exalted at that day. Bacon, who meanly consented to Raleigh's death, and vindicated his master for the act, was himself, at last, deposed for corruption. We would not suppress or extenuate any faults or follies of Raleigh, of which there is historical evidence. Faults, infirmities, and follies he certainly exhibited. The editor of Birch's Papers, in relation to Raleigh's feigned sickness, says in a foot-note: "The mind of the gallant Raleigh had given way beneath an accumulation of troubles. He had lost his son in a contest with the Spaniards, one of his captains had committed suicide, and the object of his voyage had been defeated by the treachery of the King, — proof of which exists in a letter of Buckingham to Secretary Winwood, to be found in Hardwicke's State Papers, vol. i. p. 398." *

Indeed, if the account of Manourie, the French apothecary, as given by Lord Bacon, is to be taken for true, Raleigh must have been goaded to absolute madness during these last few weeks, and a jury in our time would have justly returned a verdict of insanity. But Manourie, the principal accuser of Sir Walter, (according to a letter of Rev. Thomas Lorkin to Sir Thomas Puckering, of 16 February, 1618-19,) was not only convicted soon afterwards as a clipper of gold, but "confessed that his accusation against Raleigh was false, and that he was moved thereto by the practice and importunity of Stukely, and now acknowledged this, his present miserable condition, to be a judgment of God upon him for that"!

Was there ever such "confusion worse confounded"? No wonder that Gibbon himself, even before Simancas unfolded her treasures, shrunk in despair from disentangling the truth from the falsehood of Raleigh's life. But make the worst of him, and still his execution, under such circumstances, will stand out forever, as one of the most abhorrent and abominable acts in English History. Occurring, as it did, a year or two only before the Pilgrims came over to Plymouth, and little more than ten years before the settlement of Massachusetts, it must have been one of the events by which the minds

* Court and Times of James I., p. 85.

of the New England Colonists were impressed and agitated while they were meditating a departure from their native land. And the mere fact that the account now submitted comes from an ancient manuscript which was undoubtedly brought over by Governor Winthrop in 1630, and which has but recently been discovered among the old papers of his father, greatly enhances its interest. Even should it not add a single new reading, or one better phrase, for Sir Walter's last words, (as we think it does), it may serve to revive the remembrance of his marvellous career and of his heroic death on our side of the Atlantic, where it would most have gratified him to know that he should not be forgotten.

To a Society like ours, devoted to historical pursuits, his career has a peculiar interest, in view of the well-remembered fact that so large a part of his long imprisonment in the Tower was employed in writing that "History of the World," which is one of the most remarkable works in English literature, and of which the closing passage is doubly impressive in connection with the fate which was so soon to befall him: "It is therefore Death alone," he says, "that can suddenly make man to know himself. He tells the proud and insolent that they are but abjects, and humbles them at the instant, makes them complain and repent, yea, even to hate their forepast happiness. He takes the account of the rich and proves him a beggar, a naked beggar, which hath interest in nothing but the gravel that fills his mouth. He holds a glass before the eyes of the beautiful, and makes them see therein their deformity and rottenness, and they acknowledge it. Oh, eloquent, just, and mighty Death! Whom none could advise, thou hast persuaded; what none hath dared, thou hast done; and whom all the world hath flattered, thou only hast cast out of the world and despised; thou hast drawn together all the far-stretched greatness, all the pride, cruelty, and ambition of man, and covered it all over with these two narrow words, — *Hic jacet*!"

In conclusion, we can hardly doubt that the speech was made substantially as it has been reported. A strong reason for questioning the authenticity of the Simancas copy of the alleged letter of October 5, or, as Mr. Gardiner gives the date, of September 25th, is found in the fact that it is not mentioned, or in any way referred to, in Lord Bacon's Vindication of his Master, printed within a few months of the execution. If the King had such an answer to Raleigh's dying words, as they were reported, how could it have failed to be used by Bacon to mitigate the popular indignation at the time? How could it have been unheard of for two centuries and a half, if it had

been received by the King and known to all his counsellors? But the letter, if written, confessed only a commission from the Duke de Montmorenci, as Mr. Gardiner says, while the speech denies only a commission from the King of France; and if Raleigh had already confessed the former, it may explain his confining his denials to the latter. That he did persistently and unequivocally deny the latter, is proved not only by the speech, but by the little "Answer to some things at his death," which, we presume, is the "remembrancer left with his lady, written likewise that night [the night before his death], to acquaint the world withal, if perhaps he should not have been suffered to speak at his death," as described in the letter of Chamberlain to Sir Dudley Carleton, heretofore quoted.* We are not aware that this brief "Answer" has ever been called in question, and it seems to be entirely consistent with the speech. It declares as explicitly as the reported speech, — "I never had commission from the French King; I never saw the French King's hand or seale in my life." Sir Lewis Stukely wrote a long letter to the King in his own defence, and in reply to this dying declaration of Raleigh; but, though it refers distinctly to what it calls Raleigh's "perjury in swearing he had no design for Fraunce," it contains no allusion to the alleged letter of October 5th.* Once more, it may be urged, if the King had possessed a letter which might have counteracted the impression produced both by the brief "Answer" and the long speech, or which could have been used in any way to Raleigh's discredit, could Bacon and Stukely both have failed to use it in their labored vindications of themselves and their master? Ah, what a glory it would have been for Bacon's fame, if he had saved the life of Raleigh, instead of consenting to his death, and apologizing for the act after it was perpetrated! Some discrepancy of dates, as given by different writers, might leave room for a doubt whether Bacon was not rewarded for this Apology by a promotion from the office of Lord Keeper to that of Lord Chancellor. A more careful inquiry, however, clears away any such imputation. But it is enough to have exhibited some of the intricate problems in this great Tragedy of English, — we had almost said, of American, — History; and so to leave them for the solution of others. The manuscript account of the Execution is as follows: —

* This brief "Answer" will be found appended to The Essays of Raleigh, printed "by T. W." for Humphrey Moseley, London, 1650.

† See "Somers Tracts" (Scott's ed.), vol. ii. p. 444.

The Confession and Execution of Sir Walter Raleigh.

Upon Wedensdaie beinge the 28th of October, 1618, the Lieutenant of the Tower, accordinge to a warrant to him directed, brought S^r Wa: Raleigh from the tower to the Kinges benche barre at Westminster, where the records of his arraignment at Winchester were opened, and he was demanded why execution shoulde not be done uppon him; accordinge to Judgement therein pronounced against him: To w^h he began by waie of answer to iustifie himselfe in his proceedings in the last voiage. But the L. chiefe justice silenced him, sainge there was no other matter in question, but concerninge the Judgement of Death w^h had formallie beene given against him. And it was the Kinges pleasure (uppon some occasion beste knowen to himselfe) nowe to have the same executed, unles he coulde shewe good cause to the contrary. Unto w^h S^r Wa: R. saide, that he was tolde by his Counsell, that in regarde his Ma^{ty}, since the saide Judgement, had bin pleased to imploie him in his service (as by Commission he had done) it made voide the saide Judgem^t, and was vivification unto him. But the Lorde chiefe Justice toulde him, he was therin deceived; and that the opinion of the Courte was to the contrary. Wherewth he rested satisfied, and desired that some reasonable time might be allowed him, to prepare himselfe for deathe. But it was answered him, that the time of deathe appointed to him was to-morrowe: and that it was not to be doubted, but y^t he had prepared himselfe for deathe longe since. And I am glad, saide the L. chiefe Justice, that [you have] given the worlde so good satisfaction of your Religion: as by some bookes published by you, you have done. And so M^r Attorneye generall required in the Kinges behalfe, that execution might be done uppon the prisoner, accordinge to the saide Judgement. Then the Shrifes of Middlesex were commanded to take him into their custodie, who p^rsently caried [him] to the gate house in Westm^r, from whence the next morninge he shoulde goe betweene the saide Shrifes to the olde pallace of Westminster; where a large scaffold was erected for his execution. Whereuppon when he came wth a cheerefull countenance he saluted the Lordes, knightes and gentlemen there present. After w^h a proclamation beinge made for silence, he addressed himselfe to speake in this maⁿer: I desire to be borne wth all, for this is the thirde daye of my fevere, and if I shall shewe my weakenes, I beseeche you to attribute it to my maladie, for this is the houre it was wonte to come. Then pausinge awhile, he sett and directed himselfe to a windowe, where satt the Earles of Arundel, Northampton and Doncaster, wth some other Lordes and knightes, and spake as followeth: I thanke God of his infinite goodnes that he hathe sent mee to die in the light, and not in the darkenes; but because the place where the Lordes satte was farre distant from the scaffold, that he perceived they coulde not heare him well, therefore he saide, I will straine my voice, for I woulde willinglie have yo^r honors heare mee. But the L. of Arundel said nay, but wee will rather come downe to the scaffold to heare thee, w^h

he and some other did. Wither beinge come, he saluted theme generally, and so began to speake as followeth: As I said before, so nowe I saie againe, I thancke God, &c., but not in the darke prison of the Tower, where I have suffered a great deale of adversitie and cruell sickenes. And I thancke God that the fevere hathe not taken me at this time, and I pray God it may not. There are so many pointes of suspicion that his Ma^{ty} hath conceived against mee, and wherein he cannot be satisfied, w^{ch} I desire to cleere and to resolve yo^r L^{ty} of. One is that his Ma^{ty} hathe bin informed that I have ofte had plotts wth France, and his Ma^{ty} had good reason to induce him thereunto: The first was, that when I came backe from Guyana, beinge come to Plymouth, I indeavored to have gone in a Barke to Rochel, w^{ch} was because I woulde have made my peace before I came to Englande. The 2 was that uppon my flight, I did intende to flye into France for the savinge of my life, that had some terro^r from above.

A thirde was that the French agent came to mee; besides it was reported, that I had a Comission from the Frenche Kinge at my goinge forth. These are the reasons that caused the Kinge to suspecte mee. Nowe for man to call God to witnesse a falsehoode, were a grevous synne: for what comfort can we then hope for at the daie of Judgement, before God's tribunal seate: But to call Godde to witnesse a false thinge at the houre of death, is a facte more grevous and fearefull, seeinge suche a one havinge no tyme of repentance, cannot hope to be saved at all. Then what can I expecte, that at this instant am goinge to render my accompte. I doe therfore call the Lorde to witnes (as I hope to bee saved, and to see him in his kingdome, w^{ch} I trust I shall, w^{thin} this quarter of an houre) that I never had any Comission from the Frenche Kinge: neither did I ever see the Frenche Kinges handewritinge, nor his seale, in all my life. Nor yet did I knowe that there was an Agent heere, nor what he was, till I mette him in the galery in my lodginge, unlooked for. If I speake not true, then O Lorde let me not come into thy kingdome. The 2 suspicion was that his Ma^{ty} had bin informed, that I shoulde speake dishonorably, and disloiallie of him my sovereigne: But my accuser was a base frenchman, a runnagate, and one that had no dwellinge, and a kinde of chemicall fellowe. One that I knewe to bee pfidious. For beinge drawne in the accion of scarringe [myself] at Winchester, (into w^{ch} I confesse [my shame that] my hande was at all) beinge sworne to secrecie one night, he revealed it the next morninge. But (let me speake) what have I nowe to doe wth rogues? I have nothinge to doe wth them, neither doe I feare them; for I have onlie to doe wth my God, in whose presence I stande: therfore for me to tell a lie, therby to gaine the Kinges favoure, were in vaine. But as I hope in the Lorde to be saved at the last daie, I denye that I ever spake dishonorably, disloiallie or dishonestlie of the Kinge, neither to that frenchman, nor to any other. No I protest I never had a thought of ill, of his Ma^{ty}, in all my life. And therefore I cannot but thincke it strange, that the slaunder beinge so base and meane a fellowe, shoulde bee so farre credited as he hathe beene. And so muche of my double

resolution to the Kinges double suspicion. I confesse I did attempte to escape; yea I cannot excuse that, but it was onlie to save my life. And I likewise confesse, I did faine my selfe to bee ill disposed at Salisbury; but I hope it was no syn; for the prophet David did make himselfe a foole, and suffer spittle to fall on his bearde, to escape y^e hands of his enymies, and it was not imputed to him. So in what I did, I intended no ill, but to gaine and prolonge time till his Ma^{ty} came, hopinge of some comiseration from him. But I for give this frenche-man and S^r Lewes Stukeley also wth all my harte. I have received the Sacrament this morninge of Mr. Deane, and I have forgiven all the worlde. But that they are pfidious, I am bounde in charitie to speake, that all men may take heede of them. S^r Lewes Stukeley my keeper and kinsman hathe affirmed, that I shoulde tell him, that my L. Carewe and my lorde of Doncaster there, did advize me to escape; but I protest before God I never tolde him any suche thinge, neither did the Lordes advise me any suche thinge, neither is it likelie that I shoulde tell him any suche matter of the two privie counsellors. Neither I had any reason to tell him; for tis well knowne, that hee lefte me IX or X times alone to goe whether I woulde, whilst he ridde aboute the country. He farther accuseth mee, that I shoulde tell him that these two lordes woulde meete me in France, w^{ch} I never spake nor thought. Thirdlie, that I shoulde proferre him a letter, wherby I did signifie unto him, that I woulde give him a thousand pound for my escape. But Lord cast my soule into everlastinge fire, if I ever made any suche proferre of a 1000^{li} or a 100^{li}. But indeed I shewed him a letter, that if he woulde goe wth me, there shoulde bee order taken for the payem^t of his detts, when he was gone: neither had I 1000^{li}, and if I had, I coulde have made my peace wth it other wise. Lastlie, when I came to S^r Edw. Pelhams, who had bin a follower of myne, and given me good intertainement, he gave out speaches that I had received some Drame [of poison], when I assured him that I feared no suche thinge, for I was well assured of them in the house; and therefore wished him to have no suche thought. Nowe God forgive him, for I doe. And I desire God to forgive him, even as I desire to bee forgiven. Then lookinge on his note of remembrance, well, saide hee, thus farre I am gone now; a little more, and I shall have done. It was toulde the Kinge, that I was brought into Englande p force; and that I did not intende to come againe; but S^r Charles Parks, M^r Tatsham, and M^r Leete knowe howe I was delte wth all by the comon soldiours, w^{ch} were 150 in number; who sent for mee to come into the guard roome unto them, for they woulde not come to mee; and there was I inforced to take an oathe, that I woulde not goe into Englande till they woulde have mee. I heare likewise that there was a reporte, that I went not purposelye to goe into Guiana at all, and that I knewe not of any myne, nor intended any suche matter; but only to gett my libertie (w^{ch} I had not the witte to keepe), but I protest it was my full intent, to seeke the mine of goulde for the benefite of my selfe and his Ma^{ty} and those that adventured wth mee and the rest of my countrymen that went wth mee. But he that knewe the head

of the mine woulde not discover it, when he sawe my sonne was slaine, but made himselfe awaie. And then turninge to the Earle of Arundell, he saide as followeth: Beinge in the gallerie of my shippe at my departure, I remember yo^r honor tooke me by the hande, and said you woulde request one thinge of mee, that whether I made a good voiage or a bad, I would not faile to returne againe into Englande: wth I promised you, and gave you my faith that I woulde, and so I did. To wth my Lorde then present answered, it is true, I well remember it, they were the last woordes I spake then unto you. Another opinion was helde of mee, that I carried to sea 1600 peeces, and that I was desirous (for all the voiage y^e I intended) only to get mony into my handes, and that I had made my voiage before; whereas I protest at my goinge to sea, I had but a C peeces in all, whereof I gave 25 to my wife, and the rest I tooke wth mee, and the remaind^r I brought backe wth me into Englande. Another scandall was charged on me that I woulde have gone awaie from my companie, and lefte them at Guiana; but there are a great many woorthy men, wth accompanied me alwaies and knowe my intent was nothinge so. All these are the material pointes wth I thought good to speake of.

I am at this instant, (beinge the subiecte of deathe), to render accounte to God, and I proteste (as I shall appeare before him) this that I have here delivered and spoken is true: yet I will speake a woorde or two more, and but a word or two, because I will not bee over troublesome to M^r Shr. There was a reporte spred, that I should reioice at the death of my L. of Essex: and that I shoulde, at that instant, take Tobacco in his presence; when (I proteste) I shed teares at his deathe, though I was (I confesse) one of the faction. At the very time of his deathe, and all the while of his preparation, I was in the Armorie, and at the further ende, where I coulde but see him. He sente for mee, but I did not goe to him: for I hearde he desired to see mee.* Therefore I lamented his deathe, as I had good cause, for it was the woorse for mee, as it proved: for after he was gone, I was little beloved. Nowe I intreate you all to ioigne wth me in prayer, that the great God of heaven, whom I have greuously offended, woulde forgive mee. For I have beene a man full of all vanities, and have lived a synfull and wicked life in a synfull callinge; havinge bin a Soldio^r, a Captaine bothe by lande and sea, and also a Courtier, wth are only helpes and waies to make a man wicked in all these places. Wherefore I desire you all to praye wth mee that God woulde pardon and forgive me my synnes, and cast them all out of his sight and remembrance; and that for his Sonne, my only Savio^r Jesus Christ his sake, he woulde receive me into his everlastinge kingdome, where is life eternal. And so I take my leave of you all, and will nowe make my peace wth God.

And after a proclamation made, that all shoulde departe from of the scaffold, he prepared himselfe to die, givinge awaie his bever hatte, and

* There is some confusion here, probably arising from the omission of a line or two in copying.

wrought night cap, wth some mony to some of his acquaintance that stode neere him: and then tooke his leave of the Lordes, knightes, and gentlemen. Hee desired the Erle of Arundell, y^t he woulde informe his Ma^{ty} of that wth he spoke; and to intreat him, that there might bee no scandalous pamphletts or wrightings published to defame him after his deathe. And so puttinge of his gowne and dublet, he made a longe prayer upon his knees, the Deane of Westm^r knelinge by him, and prayinge wth him all the while; wth beinge ended, he called to the Executioner to fetch the fatall instrument (as he called it) wth beinge denied him, he saide, I pray you let mee see it; thincke you, I am afraide of it? Whereupon it was shewed him; and he felte the edge wth his thumbe, and wth a smilinge countenance he saide [to] the Shr. — This is a sharpe medicine, but a phisitian that will cure all diseases. Then goinge to eche side of the scaffold, he intreated the people to praye for him, that God woulde assist him, and give him strengthe. Then beinge asked wth waie he woulde lie, towardes the windowe, where the Lordes stode, or no, he went aboute the blocke, and laide his hed from the Lordes, and said, So bee it the harte bee stronge, it is no matter where the hed lieth; and then prayinge, havinge forgiven the Executioner, and givinge him a signe when he shoulde doe his office (as he laye prayinge and callinge upon God) at twoe strookes he tooke of his head.

The PRESIDENT observed, in conclusion, that the same MS. volume contained also a copy of the familiar lines said to have been found in Sir Walter's Bible after his death, with some variations from the commonly received version, as follows:—

Even so dooth tyme take up withe truste,
Our youthe, and ioies and al wee have;
And paies us but wth age and duste,
In darkenes, scilence and the grave.
So havinge wandred all our waies,
Shuttes up the story of our daies. —
From darkenes, silence, age and duste,
The Lorde shal raise me up I truste.

Qth WA: RALEYGH.

OCTOBER MEETING, 1873.

A stated meeting was held at 11 o'clock A.M., on Thursday, the 9th instant; the President in the chair.

The Recording Secretary read the record of the preceding meeting.

The Librarian read the list of donors to the Library for the past month.

The President announced a number of gifts to the Library and Cabinet from Miss D. L. Dix, which are duly recorded in the accessions book under this date.

The President announced the death of a Corresponding Member, Robert Bigsby, LL.D., F.R.S., an English writer of note elected in 1851, and recorded as of Ashby-de-la-Zouch, Leicestershire, and read the following notice of him from a New York journal:—

“He was the son of Robert Bigsby, Registrar of Nottingham, in which city he was born in 1806. Originally intended for the legal profession, he was disappointed in the prospects of advancement in the law, and he devoted himself to the study of antiquities. In 1842 he commenced his career as an author by publishing a volume of ‘Miscellaneous Poems and Essays,’ followed in 1848 by the ‘Visions of the Times of Old; or, The Antiquarian Enthusiast.’ In these two works he treats of the early history and associations of the ancient town of Repton, the school of which he had attended in his youth. For many years he had been engaged in collecting materials for a history of Repton, which he finally published in 1854. Among his other works may be mentioned a dramatic romance, in twelve acts, called ‘Ombo,’ a historical sketch of the slave conspiracy in Malta, during the days of the Knights of St. John; ‘Scraps from my Note-book,’ ‘Boldon Delaval,’ ‘My Cousin’s Story,’ ‘The Delaval Correspondence,’ &c., books all of which are little known in this country, but which brought their author reputation at home. Dr. Bigsby became the possessor of several articles which had belonged to Sir Francis Drake, the celebrated navigator of the time of Queen Elizabeth. Among these was the astrolabe which Sir Francis had used in his voyages. This Dr. Bigsby presented to King William IV., who placed it in Greenwich Hospital. Other relics of the old seaman were presented to the British Museum by Dr. Bigsby. The diploma of LL.D.,

possessed by the subject of this sketch, was conferred because of his merits as a writer. His name was on the civil list for a literary annual pension of £100; and, in addition to being Secretary and Registrar of the English branch of the Order of St. John, he was an honorary and corresponding member of several literary societies of foreign countries."

The President said he had received a note of inquiry from our assistant, Mr. Arnold, as to the portrait of our late associate and Vice-President, the Hon. David Sears, deposited in the Society's Cabinet two or three years ago. The President said that Mr. Sears had presented the portrait to him to make such disposition of as he might choose, and he now presented it to the Society. It was painted by Pratt in 1858.

The President read the following letter from the Hon. C. J. Hoadly:—

HARTFORD, September 17th, 1873.

HON. ROBERT C. WINTHROP,
President of the Massachusetts Historical Society.

DEAR SIR,—I take pleasure in sending you the decree of the King in Council in the case of *Phillips vs. Savage*, transcribed from a copy communicated to Governor Talcott in 1739, now among the papers of the Connecticut Historical Society.

As the briefs of counsel were printed in the volume of Proceedings for 1860-62, the accompanying decree completes the report of this important case.

The decree in *Winthrop vs. Lechmere*, on which Phillips relied, is printed in the seventh volume of the Colonial Records of Connecticut, p. 571. It is said that Mr. Lechmere failed in his defence for want of "a good sword formed of the royal oar," or its application; and that the counsel employed by him were not accustomed to business of this kind.

After the decision in *Winthrop vs. Lechmere*, as the colony of Connecticut had not been heard in the matter, it seems that intestate estates continued to be settled in the accustomed manner, the sentence of nullity of the colonial law notwithstanding; and, if appeals were made from the Probate to the Superior Court, they were continued from term to term. Meantime, efforts were made, by petition to the home government, for the re-establishment of the law, or at least for a confirmation of what had been done by the probate courts before Winthrop's appeal. Finally, in the appeal of *Clark vs. Tousey*, from the courts of Connecticut, on the same point with the two cases above mentioned, the Lords Justices, on the 18th of July, 1745, ordered the appeal to be dismissed.

Very truly yours,

CHARLES J. HOADLY.

At the Court at St. James's, the 15th day of February, 1737.

PRESENT:

The King's most Excellent Majesty.

Lord Chancellor.
Lord President.
Lord Privy Seal.
Lord Chamberlain.
Duke of Rutland.
Duke of Argyle.
Duke of Montagu.

Earl of Essex.
Earl of Selkirk.
Earl Waldegrave.
Earl Fitzwalter.
Viscount Torrington.
Mr. Comptroller.

Upon reading at the Board a report from the Rt. Hon'ble the Lords of the Committee of Council for hearing Appeals from the Plantations, dated the 16th of last month, in the words following, viz.:

In obedience to an Order in Council of the 21st day of May, 1735, referring unto this committee the humble petition and appeal of Gillam Philips, of Boston, in the county of Suffolk, in the Province of the Massachusetts Bay, brother to Henry Philips, Gent., deceas'd, setting forth, That the said Henry Philips, being seized of a considerable estate and also possess of a large personal estate in Boston aforesaid, died some time since intestate and without issue, leaving behind him his mother Hannah Philips, widow; the petitioner, his only brother; his sister Hannah Savage, wife of Habijah Savage, Esq.; Faith Savage, wife of Arthur, another sister; and the representatives of Mary Butler, deceas'd, who was a third sister of the said intestate: That upon the death of the said Henry Philips, that is to say, on the 17th of July, 1730, administration of his goods, chattels, rights, and credits, was granted to the petitioner, his only brother, who duly administered the personal estate: That the petitioner's said mother and sisters, and the representatives of the said third sister, upon the death of the said Henry Philips insisted that they were intitled to an equal distributory share of the intestate's real estate with the petitioner, under two several acts past in the said Province, the one in the fourth year of the reign of their late Majesties King William and Queen Mary, intituled an Act for the settlement and distribution of the estates of intestates; the other in the ninth year of Queen Anne, intituled an Act in addition to and for the explanation of the act for settlement and distribution of the estates of intestates; whereas the petitioner insisted that he was by the common law of the realm solely intitled thereto as heir-at-law to his brother, and that no act of that Province cou'd vary the common law of the realm, or change or alter the course of descents, and that the said two acts were void and null, for want of power in the Assembly of the said Province to enact the same; and the petitioner refused to distribute the said intestate's real estate: That thereupon, on the 6th of April, 1733, the judge of the probate of wills and granting administration made an order empowering 5 freeholders to make an equal division of the said intestate's real estate between his mother, brothers, and sisters, and their

representatives, in five equal parts; and upon the 7th of May, 1733, the said 5 freeholders made their return of division and partition of the said intestate's real estate, which was valued at 4000*l*., and they divided the estate into 5 parts, and set off and allowed $\frac{1}{5}$ th for the petitioner, and $\frac{1}{5}$ th apiece for his mother and 2 sisters and the children of the 3d sister; which return being presented to the judge of probates and administrations, he was pleas'd, by his order of the 15th of May, 1733, to allow and approve thereof: That the petitioner, conceiving himself aggrieved by the said orders directing and approving the said division and distribution, and also by the said division and distribution itself, on the 10th of Oct., 1733, preferr'd his petition of appeal therefrom to the Governour and Council of the Massachusetts Bay, assigning the 3 following reasons, — First, that he was the only brother and heir-at-law of the said Henry Philips, and, as such, the whole real estate of the said Henry Philips by the law of England descended to him; 2d, That the power given the Province of making laws was by their charter expressly restrained, so as the same be not repugnant or contrary to the law of the realm of England: but that the act of the 4th of King William and Queen Mary for distribution of intestates' real estates, and the proceedings of the judge of the probates and administrations grounded thereon, was repugnant or contrary to the laws of the realm of England, and consequently *ipso facto* void; and, 3d, That by the law no judge of probates had any thing to do with real estates, or the course of descents, the right and tryal thereof appertaining to, the King's courts; and therefore in the form of the letters of administration no power was delegated to the administrator concerning the real estate; and therefore the petitioner by his said petition to the Governour and Council pray'd reversion and costs: That the petitioner's said appeal came on to be argued before your Ma'ties Governour and Council of the Province on the 2d of Nov., 1733, when the court affirmed the said order of the said judge of probates for dividing the real estates of the said Henry Philips among his mother, brother, and sisters: That the petitioner, conceiving himself greatly aggrieved by the order made by the Governour and Council, on the 6th of Nov., 1733, preferr'd his petition to the said Governour and Council, praying leave to appeal from the said order of the 2d of Nov., 1733, to your Ma'ty in Council, on entring into the usual security; upon reading which petition, the same was order'd to be dismiss: That the petitioner, thereupon, apply'd by petition to your Ma'ty in Council, to be admitted to an appeal from the said three orders of the 6th of April, 15th of May, and 2d of Nov., 1733; and your Ma'ty by order in council of the 12th day of Feb., 1734, pursuant to a report of the Lords of the Committee for hearing Appeals from the Plantations, was pleas'd to order the petitioner to be admitted to appeal to your Ma'ty from the said three orders, on giving the usual security here: That the petitioner, having entered into such security accordingly, most humbly appealed from the said three orders of the 6th of April, 15th of May, and 2d of Nov., 1733, to your Ma'ty in Council, and therefore humbly pray'd your Ma'ty to appoint a day for hearing the said appeal, with

the usual summons for the said Hannah Philips, widow, Habijah Savage and Hannah his wife, and Arthur Savage and Faith his wife, and the representatives of the said Mary Butler, and that the said several orders might be reversed, and that the said division so made under the same, as aforesaid, might be set aside and declared null and void. — The Lords of the Committee having on the 13th of this instant, and again on this day, fully heard the said appellant, and also Faith Savage, one of the respondents, by their counsel learned in the law (the other respondents not appearing, tho' duly summoned in New England), and their Lordships having likewise fully examin'd and maturely considered all the proceedings in this cause, humbly represent to your Ma'ty, that it appeared to their Lordships that the Act of Assembly aforementioned, intituled an Act for the settlement and distribution of the estates of intestates, was passed in the said Province of the Massachusetts Bay so long since as the year 1692, soon after the new charter of incorporation was granted to the said Province by King William and Queen Mary, and that the said act was ratified and confirm'd on the 22d of Aug., 1695, by the then Lords Justices in Council, and that several other acts of assembly, in addition thereto and explanatory thereof, have been since passed in the said Province of the Massachusetts Bay, and particularly an act past there so lately as the year 1731, intituled an Act in addition to the act intituled an Act for the settlement and distribution of the estates of intestates, which last act appears to have been confirm'd by your Ma'ty's order in Council of the 27th of Jan., 1731. And their Lordships further humbly represent to your Ma'ty, that by certificates under the hands of Josiah Willard, Esq., judge of the court of the probate of wills and for granting letters of administration, &c., in the said Province, and of John Boydell, register of the said court, duly transmitted under the seal of the said Province, the last of which persons had been possessed of the office of register from the year 1717, and certified that he had carefully examined the records of the said court from the year 1692, — it appear'd to their Lordships that, from that time, it had been the constant usage for the several judges of the court of probates, &c., to cause the estates of all persons dying intestate to be distributed pursuant to the tenor and according to the directions of the said several acts of Assembly. Their Lordships do, therefore, agree humbly to report as their opinion to your Ma'ty, that the said three orders, and the division made under the same, now appealed from, be affirmed, and that the said appeal be dismiss'd.

His Majesty this day took the said Report into consideration, and was pleased, with the advice of his Privy Council, to approve thereof, and to order, that the said three orders of the 6th of April, the 15th of May, and the 2d of Nov., 1733, and the division made under the same, now appealed from, be, and they are hereby, affirmed, and the said appeal dismiss'd. Whereof the Governour or Commander in Chief of his Majesty's Province of the Massachusetts Bay, for the time being, and all others whom it may concern, are to take notice and govern themselves accordingly.

W. SHARPE.

The Hon. Charles Sumner and Charles W. Eliot, LL.D., President of Harvard College, were elected Resident Members.

The Rev. Thomas Hill, D.D., of Portland, Maine, was elected a Corresponding Member.

The President read an old printed circular letter of this Society, dated 15th October, 1832, soliciting funds to provide the Society with better accommodations, and containing the names of a number of subscribers. This effort resulted in the removal of the Society to the site which they now occupy in Tremont Street, in the following year.

In connection with this paper, the President spoke of the present needs of the Society,—particularly the want of funds for continuing the publication of the Collections; and he submitted a paper providing for the payment yearly of a sum of money by members, in lieu of the annual assessments for the years 1874, 1875, 1876, with his own name already signed to it, conditioned upon a subscription of at least \$1200. The paper was referred to the Standing Committee.

The Treasurer made a statement of the finances of the Society, showing that the regular income was already pledged in advance to a large extent.

The Recording Secretary read the report called for by the resolution offered by Mr. Whitmore at the last meeting.

Dr. ELLIS presented to the Society, in the name of the Rev. Henry C. Badger, of Boston, an original letter of Jesse R. Grant, the father of President Grant, dated February 19, 1839, addressed to the Hon. Thomas L. Hamer, M.C., Washington City, making application through him for an appointment, as a cadet at West Point, for his son Ulysses. The thanks of the Society were ordered for the letter.

NOVEMBER MEETING, 1873.

A stated meeting of the Society was held on Thursday, the 11th of November, at 11 o'clock, A.M.; the President in the chair.

The Recording Secretary read the record of the preceding meeting.

The Librarian read a list of the donors to the Library for the last month.

The Corresponding Secretary read letters of acceptance from

the Hon. Charles Sumner; from Charles W. Eliot, LL.D., President of Harvard College; and from the Rev. Thomas Hill, D.D., of Portland, Me.

The President announced a gift of a volume entitled "Proceedings in Reference to the Preservation of the Bunhill Fields Burial Ground," London, 1867, presented by Charles Reed, Esq., M.P., F.S.A., Chairman of the "Bunhill Fields Preservation Committee." The appendix to this book contained a reprint of a rare tract, printed for E. Curll, London, 1717, with inscriptions on the tombs in that burial-place.

In connection with the subject of tombstones, the President spoke of an article in the October number of the "Genealogical Register," by Mr. Sidney Everett, on "The Chevalier De Ternay," the monument to whom, at Newport, had recently been renewed under the sanction of the French minister, the Marquis de Noailles. De Ternay came to this country with Rochambeau in 1780, and occupied Rhode Island. He died at Newport, December 15, 1780, aged fifty-eight. The king of France directed a monument to be placed over his grave in 1782, which had now been restored.

The President communicated a number of printed papers and broadsides, among which was a copy of the "London Gazette," No. 2006, for February 9, 1684, reprinted by Samuel Green at Boston, 1685, in which is the account of the death of Charles II., and the proclaiming of James II. The following is a transcript:—

Numb. 2006.

The London Gazette:

Published by Authority.

From Thursday February 5th to Monday February 9th 1684.

Whitehall February 6th 1684.

ON Monday last in the Morning our late Gracious Sovereign KING CHARLES the Second, was seized with a violent Fit, by which His Speech and Sences were for some time taken from him; but upon the immediate application of fitting Remedies, he returned to such a condition as gave some hopes of his Recovery till Wednesday night, at which time the Disease returning upon him with greater violence, He expired this day about Noon. Upon which the Privy Council assembling, His present Majesty made a most Gracious Declaration to them, and caused all the Lords and others of His late Majesties Privy Council that were then present to be Sworn of His Privy Council, and ordered a Proclamation to be Published

signifying His Majesties Pleasure, That all Men being in Office of Government at the Decease of the late King, shall so continue till His Majesties farther Direction. And in the Afternoon the KING was Proclaimed before *White-Hall-Gate*, at *Temple-Bar*, and the *Royal Exchange* with the usual Solemnity.

WHereas it hath pleased Almighty God to call to his Mercy our late Sovereign Lord King CHARLES the Second of Blessed Memory, by whose Decease, the Imperial Crowns of England, Scotland, France and Ireland, are solely and rightfully come to the High and Mighty Prince JAMES Duke of York and Albany, His said late Majesties only Brother and Heir, We therefore the Lords Spiritual and Temporal of this Realm, being here assisted with those of His late Majesties Privy Council, with numbers of other Principal Gentlemen of quality, with the Lord Mayor, Aldermen, and Citizens of London, do now hereby with one full Voice and Consent of Tongue and Heart, Publish and Proclaim, That the High and Mighty Prince JAMES the Second is now by the Death of our late Sovereign of Happy Memory, become our only Lawful, Lineal and Rightful Liege Lord, JAMES the Second, by the Grace of God King of England, Scotland, France and Ireland, Defender of the Faith, &c. To whom we do acknowledge all Faith and constant Obedience with all hearty and humble Affection: Beseeching God by whom Kings do Reign, to bless the Royal King JAMES the Second with long and happy Years to Reign over us.

God Save King JAMES the Second.

W. Cant.	Litchfield
Guilford C. S.	Feversham
Rochester P.	Nottingham
Halyfax C.P.S	Berkely
Norfolk	Morray
Somerset	Middleton
Albemarle	Fauconberg
Beaufort	Newport
Shrewsbury	Weymouth
Kent	Lumley
Huntingdon	Clifford
Pembroke	H. London
Salisbury	N. Durham
Bridgwater	Tho. Roffens
Westmorland	North and Gray
Manchester	W. Maynard
Peterborow	Cornwallis
Chesterfield	Arundell
Sunderland	Godolphin
Scarsdale	Drummond
Clarendon	J. Ernle
Bathe	Tho. Chicheley
Craven	L. Jenkins.
Ailesbury	

JAMES R.

FOrasmuch as it hath pleased Almighty God lately to call unto His infinite Mercy the most High and Mighty Prince King **CHARLES** the Second of most blessed Memory, the Kings Majesties most dear, and most entirely beloved Brother, by whose Decease the Authority and Power of the most part of the Officers and Places of Jurisdiction and Government within this Realm, and in the Realm of *Ireland* did cease and fail, the Sovereign Person failing from whom the same were derived. The Kings most Excellent Majesty in His Princely Wisdom and Care of the State (reserving to His own judgment hereafter, the Reformation and Redress of any Abuses in Mis-Government, upon due knowledge and Examination thereof) is pleased, and hath so expressly signified, That all Persons that at the time of the Decease of the late King His dearly beloved Brother, were duely and lawfully Possessed of, or Invested in any Office, or Place of Authority or Government, either Civil or Military, within this Realm of *England*, or in the Realm of *Ireland*, or in any other His Majesties Dominions belonging thereunto; And namely, all Presidents, Lieutenants, Vice-Presidents, Judges, Justices, Sheriffs, Deputy Lieutenants, Commissioners of Musters, Justices of Peace, and all others in place of Government, either Meaner or Superior, as afore-said; And all other Officers and Ministers, whose Interests and Estates in their Offices are determined, or ceased by the means aforementioned, shall be and shall hold themselves continued in the said Places and Offices, as formerly they held and enjoyed the same, until His Majesties Pleasure be further known.

And that in the mean while, for the Preservation of the Peace, and necessary Proceedings in Matters of Justice, and for the Safety and Service of the State; All the said Persons of whatsoever Degree or Condition may not fail, every one severally, according to his Place, Offices, or Charge, to proceed in the Performance and Execution of all Duties thereunto belonging, as formerly appertained unto them, and every of them while the Late Kings Majesty was living.

And further His Majesty doth hereby Will and Command all and singular His Highness Subjects, of what Estate, Dignity or Degree, they or any of them be, to be Aiding, Helping and Assisting, and at the Commandment of the said Officers and Ministers, in the Performance and Execution of the said Offices and Places, as they and every of them tender His Majesties Displeasure, and will answer for the contrary at their uttermost perils.

And further His Majesties Will and Pleasure and express Commandment is, That all Orders and Directions Made or Given by the Lords of the Privy Council of the late King, in His Life time shall be Obeyed and Performed by all and every Person & Persons, and all and every Thing and Things to be done thereupon, shall Proceed as Fully and as amply as the same should have been Obeyed or Done, in the Life of the said late King His Majesties most Dearly and Entirely beloved Brother.

Given at the Court at *Whitehall* the sixth Day of *February*, In the first Year of His Majesties Reign of *England*, *Scotland*, *France* and *Ireland*.

God Save the KING.

His Majesty at His first Sitting in His Privy-Council, was Graciously Pleased to Express Himself in this manner :

My Lords,

BEfore I Enter upon any other Business, I think fit to say something to You. Since it hath pleased Almighty God to Place me in this Station, and I am now to Succeed so Good and Gracious a King, as well as so very Kind a Brother, I think it fit to Declare to you that I will endeavour to follow His Example, and most especially in that of His Great Clemency and Tenderness to His People : I have been reported to be a Man for Arbitrary Power : but that is not the only Story has been made of Me : And I shall make it my Endeavour to Preserve this Government, both in Church and State as it is now by Law Established. I know the Principles of the Church of *England* are for Monarchy, and the Members of it have shewed themselves Good and Loyal Subjects, therefore I shall alwayes take care to Defend and Support it. I know too that the Laws of *England* are sufficient to make the King as Great a Monarch as I can wish ; And as I shall never Depart from the Just Rights and Prerogative of the Crown, so I shall never Invade any Mans Property. I have often heretofore ventured My Life in Defence of this Nation ; And I shall still go as far as any Man in Preserving it in all its Just Rights and Liberties.

Whereupon the Lords of the Council were humble Suitors to His Majesty, That these His Gracious expressions might be made Publick ; which His Majesty did Order accordingly.

Printed by *Thomas Newcomb* in the *Savoy*, 1684. And Reprinted at *Boston* in *New-England*, by *Samuel Green*, 1686.

Also, a broadside, headed, —

Reasons for the Inditement of the D. of York, presented to the Grand Jury of Middlesex, Saturday, June 26. 80. By the Persons hereunder Named.

I **B**Ecause the 25th. *Car.* 2d. when an Act was made to throw Popish Recusants out of all Offices and Places of Trust. The Duke of *York* did lay down several great Offices and Places (as Lord High Admiral of *England*, *Generalissimo* of all his Majesties Forces both by Land and Sea ; Governour of the Cinque Ports ; and divers others) thereby to avoid the Punishment of that Law against Papists.

II. 30th. *Car.* 2d. When an Act was made to disable Papists from sitting in either House of Parliament ; There was a *Proviso* inserted in that Act, *That it should not extend to the Duke of York* : On pur-

pose to save his Right of sitting in the Lords House; though he refuseth to take those Oathes which the Protestant Peers ought to do.

III. That his Majesty in his Speech *March*, 6. the 31. year of his Reign, doth give for a Reason to the Parliament, why he sent his Brother out of *England*; because he would leave no man room to say that he had not removed all cause which might influence him to Popish Counsels.

IV. That there have been divers Letters read in both Houses of Parliament, and at the secret Committees of both Houses from several Cardinals and others at *Rome*; and also from other Popish Bishops and Agents of the *Pope*, in other Foreign parts, which do apparently shew the great correspondencies between the *D. of Y.* and the *Pope*. And how the *Pope* could not choose but weep for joy, at the reading of some of the Dukes Letters, and what great satisfaction it was to the *Pope* to hear the *D.* was advanced to the Cath. Religion. That the *Pope* has granted *Breev's* to the *D.* sent him *Beads*, ample *Indulgences*, with much more to this purpose.

V. That the whole House of Commons hath declared him to be a Papist in their Votes, *Sunday, April 6th. 1679.* Resolved, *nemine contradicente*, That the Duke of *York's* being a Papist, and the hopes of his coming such to the Crown, has given the greatest countenance and encouragement to the present Conspiracy and Designes of the Papists against the king and Protestant Religion. — What this Conspiracy and Design is, will appear by a Declaration of both Houses of Parliament, *March 25. 79.* Resolved, *Nemine contradicente*, by the Lords Spiritual and Temporal, and Commons in Parliament Assembled; That they do declare, That they are fully satisfied, by the proofs they have heard, there now is, and for divers years last past hath been a horrid and Treasonable Plot and Conspiracy, contrived and carried on by those of the Popish Religion, for the furthering of his Majesties sacred Person, and for the subverting the Protestant Religion, and the antient well established Government of this Realm.

VI. That besides all this Proof, and much more to this purpose, it is most notorious and evident he hath for many years absented himself from Protestant Churches during Religious Worship.

These are the Reasons why we believe the Duke of *York* to be a Papist.

Huntingdon,
Shaftsbury,
Gray of Wark,
L. Russel,
L. Cavendish,
L. Brandon.

Sir Edw. Hungerford
Kt. of the Bath,
Sir Hen. Calverly,
Tho. Thyn, Esq;
Will. Forrester, Esq;
John Trenchard, Esq;

Tho. Wharton,
Sir William Cooper, Barronet,
Sir Gilbert Gerrard, Barronet.
Sir Scroop How.

The Jury was sent for up by the Court of Kings Bench, whilst they were on this Inditement, and Dismist, so that nothing was further done upon it, saving that the Jury received the Presentment. And by the Dismission of the Jury, a very great number of Inditements were Discharged. A thing scarcely to be parallel'd, and of very ill consequence not only to many private Persons, but chiefly to the Publick.

Another broadside, headed "The Earthquake, Naples, September 21, 1694"; and a "Notification," signed "By order of the Selectmen" of the town of Boston, "William Cooper, Town Clerk," notifying the citizens to meet at Faneuil Hall for sundry purposes, among others "to consider the application of Isaac P. Davis, that the town would sell him a small gore of land adjoining his lot in Pleasant Street."

The President also communicated, with the following explanation, the two letters given below:—

John Woodward, M.D., born 1665, an eminent geologist, and founder of the Professorship of Geology at Cambridge. In 1692, elected Professor of Physic in Gresham College. Died 1728. He published, 1695, "Essay towards a Natural History of the Earth, . . . with an Account of the Universal Deluge." It went through four or five editions, was translated into Latin, and called out some objections from Leibnitz.

Cotton Mather said the true origin of the Indian Tribes would be settled, when Dr. Woodward's Natural History of the Earth should be published.

GRESH. COLL. 3. Apr. 1721.

S^r—Tho' my Business happens to be now very urgent, I cannot prevail with my-self to pass over this Opportunity of Saluteing you, by Mr. Gale, bound for New England: & returning my Thanks for the Shells you Sent, that afforded some entertainment to the Curious here. For my Self, my studyes determin me more to y^e search after Fossils of all Sorts, & such marine Bodyes, Remains of y^e Deluge, as are found in Digging, Mineing, &c. These will be of Use to the Perfecting my Nat. Hist. of y^e Earth: and I find much Difficulty in Procureing any from your Countreys there. D^r Mather has said nothing, as yet, about the Water Doves that you Sent Him. I should be glad to see any of the Utensils or Instruments, or any Things used in Religion, by the Pagan Americans there: or to have Samples of their Skulls, Bones, &c. as they may be found, after Battles, in y^e Fields. If there be any Thing in this Place y^e may gratify your Curiosity, pray be very free in Laying your Commands upon,

S^r

Your very faithfull humble Servant,

For
JO. WINTHROP, Esq^r,
New England.

J. WOODWARD.

GRESH. COLL. 3. Apr. 1721.

S^r—By Mr. Gale, returning to New England, I take the Opportunity to Salute you: and to pay my Acknowledgments for your very civil Letter of the later End of last Summer. I must likewise assure you that, sooner, or later, I ever answered your Letters: & generally delivered my Answers to Mr. Dummer; so that I was not in Fault for so long Silence & Intermission. Then, as to what you Say of your

Curiosa Americana, after I had carefully perused them my Self, I deliverd them to the Roy. Society: that they might print any thing out of them, that they judgd proper, in the Philosophical Transactions. But the Editors, since Mr. Wallers Death, are very neglectfull & partial; by which the Society suffers not a little: and indeed things are very low with them at present. For my own Part I have not been wanting in Doing you Justice: and making the Curious here sensible of your great Diligence there.

As to my own Studyes, as they find great Approbation from y^e Ingenuous, I am zealous in y^e Prosecution of them, so far as my Business in Physick will give way: & my *Medical Undertakings*, as well as y^e *Nat. Hist. of y^e Earth*, are ever going on. By what you write, you seem to have forgot how near I am to supplying all y^e Defects of my first *Essay*, in my *Observations & Reflections in Answer to Camerarius*, 8°. I much admire I hear so litle of Marine Bodyes, Remains of the Deluge, digd up in New England. Pray be more inquisitive on all Occasions of Digging, Mineing, &c. I am,

S^r

Your very faithfull humble Servant,

J. WOODWARD.

To

The Reverend D^r MATHER,

At Boston, in New England.

Dr. PAIGE made the following communication on the subject of the Incorporation of the Town of Newton, Mass.:—

Incorporation of Newton.

Rev. Jonathan Homer, in our Collections, vol. v. p. 253, says that Newton was incorporated as a separate town December 8, 1691; the "Manual for the Use of the General Court," 1872, indicates December 15, 1691, as the true date; and the 18th day of the same month is mentioned in the "Collections of the American Statistical Association," vol. i. p. 34. In Jackson's "History of the Early Settlement of Newton," the date of incorporation is carried back to August 27, 1679.

I am confident that all the foregoing dates are wrong. It appears by the records of the General Court that the inhabitants of Cambridge Village, as Newton was then called, were "freed from contributing towards the ministry on the north side the river," by an order passed May 22, 1661; and by another order, passed May 7, 1673, they were authorized "annually to elect one constable and three selectmen, dwelling among themselves, to order their prudential affairs of the inhabitants there according to law, only continuing a part of Cambridge in paying country and county rates, as also town rates so far as refers to the grammar school and bridge, and also pay their proportion of the charges of the deputies of Cambridge." In May, 1678, they petitioned again for incorporation as a town, and a hearing was assigned for "the first Tuesday of the next session in October." In reference to this petition, Jackson says: "The result was that the court granted the

prayer of the petition, and Cambridge Village was set off from Cambridge and made an independent township. The doings of the court in this case are missing, and have not as yet been found. But the town record is quite sufficient to establish the fact of separation. The very first entry upon the new Town Book records the doings of the first town-meeting, held '27, 6, 1679, by virtue of an order of the General Court,' at which meeting the first board of selectmen were duly elected, namely, Captain Thomas Prentice, John Ward, and James Trowbridge; and Thomas Greenwood was chosen constable." (p. 60.) Another order was passed, in December, 1691, giving a name to the township, which Jackson notices thus: "1691. December 8. 'In answer to the petition of the inhabitants of Cambridge Village, lying on the south side of Charles River, sometimes called New Cambridge, being granted to be a township, praying that a name may be given to said town, it is ordered that it be henceforth called New Town.' This order of the General Court, for a name only, has been mistaken by historians for the incorporation of the town, whereas the petitioners had been an independent town for twelve years. The child was born on the 27th August, 1679, but was not duly christened until the 8th of December, 1691." (p. 63.)

It is evident that the town was incorporated before December 8th, 1691, or rather the 18th: the session of the Court commenced on the 8th, but the order granting a name was adopted December 18, 1691. This order plainly enough recognizes Cambridge Village, or New Cambridge, as already a separate town. Moreover, in 1689, after Andros was deposed and imprisoned, Ensign John Ward appeared as a member of the General Court, and was admitted to a seat, apparently without objection. So far Mr. Jackson has a good case. But other facts of public notoriety would justify grave doubts whether the town was incorporated so early as 1679, even in the absence of positive proof to the contrary. For example, during the seven years following 1679, until the charter government was overturned in 1686, the Village, or New Cambridge, never assumed to send a deputy to the General Court, as a town distinct from Cambridge; but it did not miss representation a single year for half a century after the government was established under the new charter. People as tenacious of their rights as the inhabitants of the Village manifestly were, both before and after incorporation, would not be likely to let the newly acquired right of representation lie dormant for seven years, at a period of intense political excitement. The election of a constable and three selectmen in 1679 by no means furnishes countervailing proof of incorporation; for this is precisely what the inhabitants were authorized to do by the order passed May 7, 1673, which was never understood to confer full town privileges, and which, for aught that appears to the contrary, was the order mentioned in the Town Record, dated 27, 6, 1679.

But the evidence in the case is not wholly of a negative character. A certified copy of the order, which is equivalent to an act of incorporation, is fortunately preserved on file in the office of the Clerk of the Judicial Courts in Middlesex County, where it has silently reposed for

nearly two hundred years, and where I recently discovered it, when making a general examination in search of whatever I might find. It is in these words : —

“ At a Council held at the Council Chamber in Boston, on Wednesday, the eleventh day of January, 1687.

PRESENT :

His Exc^t St Edmund Andros, Kt., &c.

William Stoughton,
Robert Mason,
Peter Buckley,
Wait Winthrop,

} Esq^r.

John Usher,
Edward Randolph,
Francis Nicholson,

} Esq^r.

“ Upon reading this day in Council the petition of the inhabitants of Cambridge Village, in the County of Middlesex, being sixty families or upwards, that they may be a village and place distinct of themselves and freed from the town of Cambridge. to which at the first settlement they were annexed, they being in every respect capable thereof, and by the late authority made distinct in all things saving paying towards their school and other town charges, for which they are still rated as a part of that town; and also the answer of the town of Cambridge thereto; and hearing what could be alleged on either part, and mature consideration had thereupon: those who appeared on the behalf of the town of Cambridge being contented that the said village be wholly separated from them as desired, and praying that they may be ordered to contribute towards the maintenance of Cambridge Bridge, and that other provision be made as formerly usual to ease the town therein : —

“ *Ordered*, That the said village from henceforth be, and is hereby declared a distinct village and place of itself, wholly freed and separated from the town of Cambridge, and from all future rates, payments, or duties to them whatsoever. And that, for the time to come, the charge of keeping, amending, and repairing the said bridge, called Cambridge Bridge, shall be defrayed and borne as followeth (that is to say), two-sixth parts thereof by the town of Cambridge, one-sixth part by the said village, and three-sixth parts at the public charge of the County of Middlesex.

“ By order in Council, &c.

“ JOHN WEST, *D^y Sec^y*

“ This is a true copy, taken out of the original, 4th day of Decem.,
’88.

“ As attest :

LAUR. HAMMOND, *Cler.*”

Hence it appears reasonably certain that the village which obtained ecclesiastical privileges in 1661, became a precinct in 1673, and received the name of New Town in 1691, was “ separated from the town of Cambridge ” and incorporated as a separate and distinct town on the eleventh day of January, 1687–8.

The President, from the Standing Committee, submitted a new draft of the By-Laws in a printed form, and called attention to the changes proposed. The subject of the consideration of the By-Laws was deferred to the next meeting.

Professor WASHBURN read the following paper on "The Tenure of Lands in New England":—

No one can have read the history of a people in connection with their laws, with any considerable degree of attention, without perceiving the intimate relation they hold to each other. Each seems to be a complement of the other, in illustrating and explaining the meaning of terms and allusions, and their application to the subject-matter of legal and historical inquiry. No better test can be applied in determining the point in civilization and refinement which a nation had obtained at any period of its history, than a study of her laws as then recognized and enforced. The instances are too numerous to be recapitulated of the necessity one is often under to go back to historical details for the meaning of terms now in use in our statute books, and this in our own country applies as well to what we call our fundamental laws as to the less formal phraseology of our statutes.

I have heretofore taxed the indulgence of the Historical Society somewhat severely, in my attempts to examine into the causes which led to such sharp contests between the colonists and the government at home to maintain possession of their charter, the phases and extinction of villenage in England, and afterwards of slavery in the colony, and the lessons in history which are suggested by certain provisions contained in our Bill of Rights, and am induced to renew this draft upon their time by suggestions from others that these investigations, though they partake largely of the character of professional study, are not wholly uninteresting to those who are not familiar with such researches.

In the first charter to the first and second Virginia colonies, granted by James I. in 1606, in favor of Sir Thomas Gates and others, it is provided that the crown would grant, to such persons as the council of that colony might nominate and assign, the lands within that colony, "to be holden of us, our heirs and successors, as of our manor of East Greenwich in the County of Kent, in free and common socage only, and not *in capite*." The same provision extended to the lands within both the Virginia colonies.

In the second charter to what was known as the "London Company," the same clause as to the tenure of their lands was retained; and a rent was reserved of one-fifth part of all ores of gold and silver which they might derive from the land, "*for all manner of services*." This was in 1609. A similar clause was inserted in the third charter to this company, in 1611-12.

The charter of the Massachusetts Bay Company, of 1627, provides for the tenure of their lands to be "in free and common socage, and not *in capite* or by knight service, yielding to the crown one-fifth part of all ores of gold and silver." In their Patent to Bradford in 1629

the Council of Plymouth Company adopt this same clause in relation to the tenure of lands in that colony which had been contained in their original charter. In the charter of 1691, known as the "Province Charter," a like clause is inserted regulating the tenure of lands in the Province, with this modification only in the expression, "as of our manor of East Greenwich in the County of Kent," and that it is to be "by fealty only, in free and common socage," omitting the terms "*in capite*" and "by knight service," the reason of which will appear as we proceed. Similar clauses are found, it is believed, in all the original charters of the colonies, with the exception that, while in most of them the manor of East Greenwich in Kent is referred to, in others that of Hampton Court in Middlesex or of the Castle of Windsor in Berkshire is mentioned.

The care with which these early colonists sought to embrace this clause in their charters suggests an interesting inquiry, — what is meant by these words, and what, if any, bearing had they upon the future character and condition of the people of the colonies? And, if I mistake not, it will be found to have a more important significance in both these respects than one might, at first, be led to suppose.

To answer the inquiry, we must go back to an early period in the history of the mother country. For six hundred years, with the exception of the brief period of Danish supremacy, the Saxons and their institutions bore sway in England. Though a semi-barbarous people, they had made considerable advances towards a higher civilization, which were traceable in their laws relating to property and persons. From them we inherit that elementary idea of personal security, that "a man's house is his castle," and the immunity of one's person from violence and insult. It is yet an unsettled question in history how far they ever adopted the feudal system. They had the division of the people into classes, which was recognized and retained under the Normans; but their lands were chiefly allodial, — that is, held by independent ownership, instead of being under any form of vassalage; and instead of going, at the owner's death, to a single heir by right of primogeniture, as early became the custom in respect to lands held by feudal tenants, they descended, in equal shares, among all his sons. They were, moreover, freely alienable by sale or by the last will and testament of the owner.

The Saxons by this arbitrary division into classes had large numbers of slaves called Villeins; some of them belonging to the lands on which they wrought, and were bought and sold with those; and some of them belonging to masters, by whom they might be sold independent of any property in lands. The Saxon laws were, to a considerable extent, collected and embodied by Edward the Confessor; and we may judge of their general character when we are told that they entered largely into the provisions of the Magna Charta, and were cherished with such great veneration and respect by the Saxons after the Norman Conquest that they spared no opportunity to obtain a restoration of them through each successive reign up to the time of John and Henry III., and the granting and ratification of the great charter which confirmed them in the enjoyment of many of their ancient liberties.

After the death of Charlemagne, at the close of the tenth century, Feudalism became the controlling policy of Europe, and continued to be so through the eleventh, twelfth, and thirteenth centuries, which are known as the "Feudal Age." It was early developed in Normandy, and was in full vigor there when, in 1066, William took with him his barons, conquered England, and established feudalism over a great part of the southern portions of the island. As there was at that period no trade, commerce, or manufactures carried on in England, the chief object of interest known to the law as property was the lands of the kingdom. The source or origin of the title to these, as fast as they came under feudal domination, was theoretically in the king, who stood as chief of the barons, among whom the lands were divided. The process of making partition of these lands was this: The chief granted one or more manors to each of his barons, for which they engaged to render to him in return certain services, at first, such as furnishing a certain number of men-at-arms, for a certain number of days each year, to serve him as chief or suzerain, in the wars in which he might engage. These barons then subdivided these lands into smaller parcels, exacting in return certain onerous and oppressive services from their vassals. And these might make still further subdivisions to subordinate holders under them. But no tenant of land could alien the same without consent of his superior, nor could he devise it by his last will. And upon his death, from a time soon after William's death, the land thus held went, by descent, to the tenant's eldest son. This continued to be the law for more than two hundred years after the Conquest, when lands which were not held *in capite* or directly of the crown were made freely alienable; and instead of a purchaser any longer holding the land he had purchased, of the man from whom he got the title, he was thereafter to hold of the crown, the assumed owner, in the first place, of all the lands in England. There were therefore, after this change, two classes of owners of land in England: those who held mediately of the crown and might freely alien them, and owed no services to the king by reason of such tenure; and those who held immediately or directly from the crown, without this free power of alienation, and were liable therefor to render feudal services as tenants of the crown. These were called tenants *in capite*, or holding in chief, or directly from the head of the state. These distinctions were not abolished until 1660, 12 Charles II., when all feudal tenures, especially "knight service," or that "by chivalry," were swept away by a general statute to that effect. This, it will be remembered, was thirty-one years after the Colony and thirty-one years before the Province Charter, and accounts for the difference between them in omitting in the latter any reference to tenancy *in capite* or knight service, which had then been abolished.

The services which a vassal was to render to his lord or to him of whom he held his lands, except that of *fealty*, which was due from all these, were as various as the whims or caprices of those who first granted them, except that for lands held by a military tenure the services were always of a military character, unless the lord was willing

to accept something instead of this, which, after a while, became true of a large proportion of the lands under feudal tenure. Some of these services were honorable, such as a free man might render without compromising his self-respect as a free man, and consequently called *free*. Others were of a base and menial kind, which slaves or villeins could alone be made to render, such as carrying manure into the field, and work of that kind. Whereas, while ploughing the lord's field was a free or honorable service, that rendered by villeins was held to be base and dishonorable.

Another circumstance, quite as important to the comfort and independence of the vassal as the character of his service, was the quantity or extent of what he was required to render. It was a great point gained to have this made *fixed* and *certain*. Those who held directly from the principal chief were more or less subject to extraordinary and uncertain requisitions, while the services which were exacted from the villeins were just what their master chose to make them. These villeins, though at first mere slaves as I have said, by residing for a long period upon the manors to which they belonged, began to be recognized as having certain rights as tenants; and, in the progress of amelioration through which the nation was passing, the services which they had to render for the lands thus held by them became fixed and ascertained. One of the services due from every free vassal was, as I have stated, an oath of fidelity or *fealty* to the lord of whom he held his land. That was never dispensed with, however much the other services required might differ. So greatly was it for the interest of free vassals, as well as for villeins, to have the amount and nature of the services defined and certain, that, with the exception of the tenants *in capite*, it may be said that in the course of time all these became thus ascertained.

Holding lands by a tenure whose services were fixed and ascertained came to be known by the name of *socage*. And although a large proportion of these services were substantially of the same kind, it mattered not how much they differed: if the service by which one held lands was *certain* and *defined*, he was *in law* a tenant in *socage*. If these services were free and honorable, it was "free socage;" if base, it was "villein or base socage." And the word "common" probably was used to imply that it was the customary service of socage tenure which was due from tenants of similar lands, among which fealty was always one, and the ploughing of the lord's land might be, for a long period at least, another. Indeed *socage*, according to some writers, takes its name from *soca*, a plough, while other writers attempt to trace it to a Saxon word, meaning liberty. It may be remarked, in passing, that, by abolishing all feudal tenures by the Act of 12 Charles II., all English tenures except what are called "copyholds" were changed thereby into free and common socage, under which the tenant in fee still theoretically holds directly of the crown.

If now I have made these propositions intelligible, we are prepared to take up the other part of the inquiry, why the form of expression is used in these charters, "to be holden," &c., "as of our manor of East

Greenwich in the County of Kent." It was competent, as I have already said, for the lord of each manor to prescribe the services by which his tenants were to hold under him. But, as there is nothing to indicate any peculiar tenures as belonging to that particular manor, we are led to conclude, both by analogy and by what we know of the action of the colonists afterwards, that the importance of this provision turns upon its reference to the *County of Kent*. It is historically true that some portions of England never came under the feudal organization to which the other parts of the kingdom were subjected. The County of Kent was one of these, and doubtless Hampton Court and Windsor were in the same category. The consequence was that most, if not all, the local Saxon institutions in force in that county when William landed, remained in vigor until the feudal system was abolished in 1672, as I have mentioned. Every thing in relation to holding of land, except the fealty which all land-owners owed to the king, was free. The owner could freely alienate it, and he could devise it by will, which could not be done in other parts of England until about the middle of the sixteenth century. If he died, instead of his estate descending to a single heir by virtue of the right of primogeniture, which prevailed generally in England, it was shared equally by all the sons, if any, and otherwise by the daughters.

Here, then, we have the full force and meaning of this otherwise unexplained clause in the American charters. Nothing like feudal vassalage under them could or did ever find root on the American soil. Her lands were not only free in their tenure, but free also of alienation by deed or by will, without asking permission of even the crown or its officers, since the king by his charter had waived all claims to have them held *in capite*. And it ignored the principle of primogeniture in the division of undivided lands, whereby the eldest son took the entire lands of the father. And doubtless that single clause had not a little to do in giving character to the institutions of New England, as well as in cherishing that sense of freedom and self-respect which springs from the independent ownership of the acres which one tills for himself. This is seen in the contrast there was, from the first, between the effect of the feudal tenure under which the lands of Lower Canada were held, and that of the soil of Massachusetts, as prescribed in her charter. One was a vassal, the other the master of his own homestead.

Treating the etymology of the term *socage* as being what has been popularly received as the true one, a *plough*, we may perhaps find, as Sullivan intimates in his treatise on Land Titles, the origin of the so-called "Plough Patent," which was granted by the Council of New England in 1630 to John Dy and others in Maine, known as Lygonia, including the lower part of Saco River, and covering the present city of Portland, which was afterwards absorbed into the ever-widening jurisdiction of Massachusetts.

If we follow the legislation of Plymouth and Massachusetts upon the subject of the holding and management of lands, we find it conducted with great shrewdness and discretion, and in entire accordance

with this doctrine of free and common socage. In 1633 the Plymouth Company required deeds of conveyances to be recorded, and made lands descendible, in the language of their statute, "according to the commendable custom of England, and *hold of Est Greenwich.*" The form of their deeds prescribed by the company contained a recital that the lands conveyed thereby were "held of his Majesty as of his manor of East Greenwich in the County of Kent, in free and common socage, and not *in capite.*" The law of Massachusetts for the making and recording deeds bears date in 1652. A law of 1636 divides the intestate lands of a deceased owner between his sons, the eldest taking a double share, but does not give the daughters any part of it, "if there is a son or sons." And in this, so far as I can judge from what is known, they copied directly from the English law prevailing in Kent when the colony came over to Plymouth, such being the law of socage tenure in the time of John, as given in Reeves's History of the English Law. Nor can I find that daughters ever took any share in the father's estate by inheritance, if he left a son or sons, either in Plymouth or Massachusetts, during the existence of the colony charter. This was first provided for by a statute in 1692, which gave the eldest son a double share of the estate, and divided the residue in equal shares among sons and daughters.

In this connection, it seems proper to notice the phraseology and purport of one or two other clauses in our early statutes, which require explanation to understand their purpose and application. It serves to illustrate too with how much jealousy the founders of New England sought to have their estates free of alienation at the will of the owner, and to rid themselves and their lands from every lingering vestige of feudal bondage.

In 1641 Massachusetts in her Body of Liberties declared that "all our lands and heritages shall be free from all fines and licenses upon alienations, and from all heriots, wardships, liveries, primer seisins, *year day and waste*, escheats and forfeitures upon the death of parents or ancestors, natural, unnatural, casual, judicial, and that forever." It is unnecessary for our purpose to notice any of the obligations due from a vassal to his superior lord as incidents of feudal tenure which are here enumerated and forbidden, except that part of them which is repeated in the Province Statute of 1692, which declares "all lands and heritages within this province shall be free from *year day and waste*, escheats and forfeitures upon the death of parents or ancestors, natural, casual, or *judicial*, and that forever, and except in cases of high treason." By thus referring to escheats and forfeitures upon the death of *parents or ancestors*, the provincial legislature evidently meant to guard against the consequences of the conviction and punishment of death for felony, which worked, among other things, a forfeiture of the felon's estate. And an explanation of the terms here used is found in the history of the mother country. As the common law once stood, if any one holding lands committed treason or felony, the king might seize these lands, no matter who was the lord of the manor under whom they were held, and hold them for a year and a day, and during that

time might make all the profits possible out of them, not only by cultivating, but by wasting and stripping them of their wood, timber, and buildings, and at the end of that time they were delivered up to the lord of the manor. It had been a principle of the feudal law that, if one was guilty of certain offences known as felonies, he thereby forfeited his lands to the crown. And one of the concessions which the barons of England wrung from John in the Magna Charta was an agreement on his part that he would hold the lands of such persons as were convicted of felony only for a year and a day, giving up this right of exercising strip and waste over them. We ought to bear in mind, moreover, that lands held by socage tenure were just as liable to forfeiture to the crown for felony as those held by any other tenure. In order, therefore, to guard the lands of the Province from any possible relict of feudal burdens which had come down through the *common law*, beyond fealty, the legislature expressly declared that the lands of the Province should be free from this ancient liability to "*year day and waste*," and they went further, and declared them free from *escheat* or *forfeiture* upon the death of the ancestor from whom they had descended, from any cause "*natural, casual, or judicial*," or, in other words, by capital punishment, except in cases of high treason, which was a thing which the provincial legislature had no right to control.

We accordingly find that from that date to this there has been no forfeiture of lands for crime by the common law in this Commonwealth. And it would not be difficult to suppose that we here have the origin and cause of that clause in the Constitution of the United States which declares "no attainder of treason shall work *corruption of blood* or *forfeiture*, except during the life of the person attainted."

The view which has thus far been taken has assumed that, though the lands of Massachusetts, under both her charters, were as free as the freest in England, and no service was in fact due in their behalf beyond the universal obligation of fealty on the part of the owner, they never were, at any time prior to the Revolution, *allodial* in the sense in which that term was used and understood under the Roman or Saxon laws. And here the question naturally arises, How is that now? Is the holding of our lands *allodial*, independent of any superior? or is it, in theory at least, subject to some superior who holds the relation of lord paramount over it? In England this superior is acknowledged to be the king. And such continued to be the case with our lands here, so long as Massachusetts formed a part of the British empire. Of course, when the State became independent of Great Britain, this feudal obligation to the king ceased. Did it ever revive in favor of any other sovereignty or body of men? There are two theories upon this point: one, that by our independence all our lands became *allodial*; the other, that the States or the United States, by succession, took the place of the crown in this respect, and that we hold our lands of the United States, or of the State in which they are situated, as our fathers held them of the king. But when we remember that the oath of fealty is altogether distinct and different from that of allegiance, that feudal service was an incident of title or *owner-*

ship of lands, and that the State or the United States never became in any sense the owner of lands belonging to individual proprietors at the Revolution, and never became successors to the crown by the way of purchase or assignment of royal rights and prerogatives, it is difficult to see how, when these lands were released from their feudal obligation to the crown, a similar obligation was imposed upon them, *in invitum*, in favor of a newly created government, between which and the crown there was no privity or dependence. And I confidently adopt the language of Judge Story, that "for most purposes our lands may be deemed to be perfectly allodial, or held of no superior at all." "The yeomanry are absolute owners of the soil." And the language of Chancellor Kent gives, in a few words, an epitome of the changes through which the tenure of lands in our country has passed, when he says, "Thus by one of those singular revolutions incident to human affairs, allodial estates once universal in Europe, and then almost universally exchanged for feudal tenures, have now, after the lapse of many centuries, regained their primitive estimation in the minds of freemen."

And well may the people of New England congratulate themselves that a love for free, independent ownership of lands, and a power of acquiring and disposing of them at will, was so early and so firmly planted in the habits of thought of the men who settled upon these shores. It has neither prompted an ambition to accumulate large landed estates in a few hands, nor suffered those who tilled the earth to lose their manliness of spirit and become tenants of a soil which they did not own, and has done much to preserve the original traits of New England character; while the once proud yeomanry of England, the small independent proprietors of their own acres, have been changed to mere tenants; while the spirit of aggrandizement by possession of large estates, which may be traced back to the introduction of feudalism at the Conquest, has been spreading and growing stronger, till grave and reflecting men are startled when they contemplate the consequences to the kingdom of this tendency of land monopoly. And, in view of which, a writer in the "Westminster Review" has arrived at the conclusion "that pauperism in England has grown with the growth of large estates;" "that the poorer classes, driven into the large towns, living in hovels and dens and garrets, in darkness, ignorance, and want, constitute a breeding ground for crime and disease." "In a word, the system has benefited neither tenants nor land-owners, producers or consumers." In view of all which, I can only add, the more we study the character of the fathers of New England and their institutions, the more cause we have to respect and admire the political sagacity in which they were founded.

Dr. Josiah G. Holland of New York, and Judge Manning Ferguson Force of Cincinnati, Ohio, were elected Corresponding Members.

The President called the Society's attention to a bundle of old papers recently noticed in one of the cupboards of the

Library, on the wrapper of which is written, "Returns of Negros"; also, in the hand of Mr. Felt, a former Librarian of the Society, "Printed in 3d vol. 2 series, p. 95 to 97. These papers belong to the Mass. Archives." On which it was unanimously *voted* to return these papers to the Massachusetts Archives.

DECEMBER MEETING, 1873.

A stated meeting was held on Thursday, December 11, at 11 o'clock A.M.; the President in the chair.

The Recording Secretary read the record of the preceding meeting.

The Librarian read his monthly list of donors to the Library.

The President announced the death of Don Joaquin José da Costa de Macedo, of Lisbon, Portugal, an Honorary Member since 1839; his decease having been announced by Lord Stanhope, at the Annual Meeting of the London Society of Antiquaries, last year.

He also noticed the decease of a Corresponding Member, John Gough Nichols, Esq., of London, and submitted the following account of him, prepared by Mr. Whitmore:—

It is with sincere regret that we learn of the death of our Corresponding Member, John Gough Nichols, Esq., F.S.A. His death, which took place on the 13th November, at Holmwood, near Dorking, closes, for the moment at least, a literary history of very considerable extent and interest. Mr. Nichols was the heir and successor, alike in business and in literary pursuits, of his grandfather, John Nichols, Esq., F.S.A., the historian of Leicestershire, and the compiler of "Literary Anecdotes of the Eighteenth Century." In fact, properly to appreciate the life and work of our late associate, it is necessary to notice the long-continued connection of his family with the literature of antiquities.

John Nichols, a Londoner of good family, was born in 1745, and was apprenticed to William Bowyer, the first of learned English printers, the friend as well as publisher of the most distinguished literary men of his day. Nichols proved so valuable to his master that, on attaining his majority, he was taken into partnership by Bowyer, and contributed thereafter

in an equal degree to maintain and extend the reputation of the firm. As our main intent is to show his antiquarian labors, we will mention that in 1778 Mr. Nichols became editor of the "Gentleman's Magazine," a position which he held for nearly half a century. In this work he devoted much labor in the section of obituaries, an humble but most important division of history. The most noticeable of his antiquarian publications, however, were the two already cited; and also a "Collection of Royal and Noble Wills," "Anecdotes of Hogarth," the revised "Biographical Dictionary," "Progresses of Queen Elizabeth," and "Progresses of James I.," besides various works on local history.*

This John Nichols died 26 November, 1826, in his eighty-second year; and the printing-office passed to his only son, John Bowyer Nichols. The son (born 15 July, 1779, died 19 Oct., 1863) was less conspicuous, perhaps, than his father or than his son; yet he is to be noticed as the editor of "Hutchins's Dorset," and especially as the editor of the reprint of "John Dunton's Life and Errors." It was from the notes to the latter work that the existence of "Dunton's American Letters" was made known; and the knowledge has been made of service by the publication of Dunton's book by the Prince Society.

The "London Athenæum," of Nov. 22, 1873, has the following tribute to the literary labors of our late Corresponding Member: "With such antecedents, it is not surprising that John Gough Nichols distinguished himself as an antiquary. He was born 22 May, 1806, and was the eldest son of John Bowyer Nichols, by his wife Eliza, daughter of John Baker. He was educated at Merchant Taylors' School, and commenced at a very early age his connection with literature by the share he took in the management of the 'Gentleman's Magazine'; and by the experience he thus acquired not only fitted himself for those more important separate publications which proceeded from his pen, but for the editorship of the 'Collectanea Topographica et Genealogica,' which appeared in eight volumes, between the years 1834 and 1843; the three volumes of the 'Topographer and Genealogist,' published between 1850 and 1857; and their successor, the 'Herald and Genealogist,' commenced in 1862, and which is still in course of publication. In all of these, as in the 'Gentleman's Magazine,' Mr. Nichols displayed not only

* A very interesting memoir of Mr. John Nichols was published by his son in 1868. It contains a full list of his various publications, and is adorned with four engravings of portraits. A copy is in the Society's Library, the gift of our late associate. It may be noticed that the Bentleys, Samuel and Richard, famous London publishers, were nephews of John Nichols.

his own earnest love of 'the truth, the whole truth, and nothing but the truth,' in historical inquiries, but an unflinching opposition to all attempts to set up unfounded claims to honors, and to foist 'cooked-up' pedigrees and genealogies upon the public. Mr. Nichols wrote, in 1829, the biographical notices accompanying the 'Autographs of Royal, Noble, and Remarkable Persons'; in 1831, he published an account of 'London Pageants'; in 1833, 'The Monuments in the Beauchamp Chapel, Warwick'; in 1838, a similar work descriptive of 'The Frescoes in the Guild Chapel of Stratford-upon-Avon'; and, in 1849, an interesting little volume on 'The Pilgrimages of Canterbury and Walsingham,' of which we have understood he proposed shortly to issue a new edition.

"In 1838 Mr. Nichols took an active part in the formation of the Camden Society, with which his name must ever be associated; for he edited for the Society the 'Chronicle of Calais' (1846); the valuable 'Diary of Henry Machyn' (1848); the 'Chronicle of Queen Jane and Queen Mary' (1850); the 'Grey Friars' Chronicle of London,' in 1852; 'Grants of King Edward the Fifth,' in 1855; 'Narrative of the Days of the Reformation,' in 1861; and in 1863, in conjunction with his old friend Mr. John Bruce, a 'Collection of Wills from Doctors' Commons.' This was followed, in 1868 and 1869, by the introduction, notes, and literary illustrations to the photolithographic fac-simile of 'Dingly's History from Marble,' and of which it may be truly said they doubled the value of that remarkable book. But, great as were the services thus rendered, they comprise by no means all that he did for the Camden Society. There is scarcely a volume among the long series, of upward of a hundred, which does not bear more or less marks of his revision, and more or less acknowledgment of the value of that revision on the part of their respective editors. It was the same with the majority of the works connected with history or genealogy which passed through the press under the careful eyes of Mr. Nichols, as those, for instance, of the Roxburghe Society, for which he edited, in 1857, two volumes of great interest, namely, 'The Literary Remains of King Edward the Sixth.'

"Mr. Nichols, who was admitted a Fellow of the Society of Antiquaries so long ago as 1835, was a frequent contributor to the 'Archæologia,' as he was, indeed, to the journals of all the various Antiquarian Societies, of which he was an active member; and by his associates in those Societies, as by all who enjoyed the privilege of his friendship, his loss will long be deplored as that of an accomplished gentleman, an honest and

able critic, and one who was always ready to place the vast stores of information which he possessed at the service of earnest laborers in the field of historical truth."

So much for the value attached to his labors by his English contemporaries. Here in America we have reason to regret his loss as being one of the few English genealogists who felt an interest in the transatlantic branches of English families. Mr. Nichols was one of the leaders of the new school of genealogists, one of those who seek the truth in all things, and who subject every thing to analysis and proof. The example of such American searchers in English records as Savage, Somerby, and Chester, has undoubtedly had its effect on local antiquaries. No longer content to repeat the fables of the heralds of the seventeenth century, the genealogist of to-day traces out and uses the original records which alone are of value. Of course the judicious liberality of the British government, both in opening the great Record Offices to the public, and in publishing selections from the National Archives, has enabled antiquaries to work with advantages denied to their predecessors. Still the movement began with the students, and Mr. Nichols was one of the leaders in the improvement.

In the magazine which he founded in 1862, and edited until his death, the "Herald and Genealogist," Mr. Nichols did much to aid in popularizing genealogy. The essays published therein were often histories of families not elsewhere printed, and they were treated with a minuteness of detail necessarily lacking in Burke's immense collections. From the first, Mr. Nichols evinced a great interest in American genealogy, and his pages were always open to correspondents in this country. He reviewed many of our publications, and enriched his critiques with such additions as were afforded by his own ample collections. He not only accepted and praised such things as he could test, but being justified by that confirmation he frankly acknowledged the value of such work as was exclusively American. Such books as "Bond's Watertown" and "Savage's Dictionary" were viewed by him with admiration and respect; and he evidently felt that in the science of genealogy American authors were at least equal to their English associates.

This recognition, it need hardly be said, was of value to us, since it has obtained for our books an authority before lacking, and will eventually give our authors access to sources of information which would be closed to all but acknowledged experts.

We have every reason therefore to lament that our late associate has thus been stopped in his career of usefulness, and to join in the most sincere expressions of regret. To many of us

the notice of his death was a shock as great as the loss of any of our immediate circle, and we feel it to be as great a calamity to American as to English literature.

The President then read the following letter from George Harrison Fisher, of Philadelphia: —

735 WALNUT STREET, PHILADELPHIA,
19th November, 1873.

DEAR SIR, — My father had in his possession two profile likenesses of General Washington and his brother John, respectively, which he desired should, after his death, be given to the Historical Society of Massachusetts. The following short account of them, which he wished should be sent with them, I copy from a memorandum made, under his dictation, by my brother-in-law, Mr. Cadwalader: —

"In the last years of the presidency of General Washington, the accompanying silhouettes of his brother, Colonel John Washington, the father of the distinguished Judge Washington, and himself, were taken by a gentleman in a drawing-room in Philadelphia. They were traced with a steady hand, the shadow being thrown by a brilliant Argand lamp, which had just been invented. This silhouette was taken before the portrait by Stuart, and therefore without its defects in the mouth, &c. The silhouette confirms the accuracy of the bust by Houdon."

"ALVERTHORPE, November 2, 1872."

They are now probably at the Adams Express Office in Boston; and if you could kindly send for them, and have them transmitted to the Historical Society, you would be conferring the greatest favor upon my mother and myself.

I am, with the greatest respect, yours truly,

GEORGE HARRISON FISHER.

The Hon. ROBERT C. WINTHROP, Boston.

The thanks of the Society were ordered for these interesting gifts.

Gifts were also gratefully acknowledged from Joseph Peabody Gardner, Esq.: of a copy of a wood-cut engraving, known as the "Gerrymander"; a copy from the original draft of "Observations on the Constitution as to the Governor's Power over the Militia," written by Judge John Lowell (the great-grandfather of Mr. Gardner,) for Governor Bowdoin; also a letter from Judge Lowell to General Lincoln. The last two papers here follow: —



GEORGE. WASHINGTON.



JOHN. WASHINGTON.

*John Lowell to General Lincoln.*BOSTON, Nov: 28th 1782.TO GEN^L LINCOLN.

MY DEAR SIR,—Your two last letters came to Boston while I was absent on a journey to the Eastward, from whence I return'd last week, or I should have noticed them sooner. Col. Hatch had laid before the General Assembly an extract of your letter, before the one you enclos'd me came to hand. I cannot find that the Governor ever communicated it; neither the Speaker, nor any one else that I can find, recollects it; & from the difficulty which the opposers of the continental tax made on account of the sum paid Col. Hatch, I venture to conclude the Gov^t never sent your letter to the House; but all difficulties have been removed, & the matter will be settled by M^r Lovell & Col. Hatch. The Officers who came with a memorial for the army were not pleas'd with the reception they met with here. They not only requested a compromise of the half pay, but a settlement of their wages for the year 1781, & of the parts of rations, &c., due before. Both have been rejected; the former, under pretence that Congress might not approve the measure; & the latter, from the doubtful expressions of some resolves of C. which renders it uncertain whether such settlement is to be made by the states. If the rejection of the compromise had been from the principle avow'd, it might have been well; but I am fully confident three-fourths of the persons who voted for its being postpon'd till the sense of C. could be known were fully determined never to come into the measure, & that they & their constituents are opposed to it in every shape. It is possible a different compensation might be obtain'd if much pains are taken; but one to arise from a calculation of the value of half pay for life, presupposing that due, & amounting nearly equal to the p^rduct of such calculation, I suspect will never obtain here. I feel myself much reliev'd from the effect of your last journey to Camp; you are at the Head of the War Department, yet, while the Officers see you are interested to do them justice, & are labouring their just rights with Congress, your mediation has a fair chance for success. I am pleas'd to find C. have adopted the spirit of your plan, & hope the affair will end well. I know the oeconomical reduction is just & necessary, yet I cannot wonder at nor blame the anxiety of the army on the subject. To retire when the several states view them as a useless burthen, while C. have doubted so far of their claim as not to make provision to answer it, & while many of the states by solemn acts protest against it, appear'd to me on reflection to be submitting themselves to great inconvenience & hazard. This subject naturally revives in my mind the ideas suggested by a letter with which you honor'd me on the subject of the Continental constitution & general taxes. The constitution of the American U. S. & that of the U. P. appear to me reducable to none of the general divisions which writers on Government have made. They are call'd independent, yet united,—two ideas that appear to me inconsistent with each other. Two states may be independent of each other & allied, but how they can be independent & united I cannot

see. This inconsistency I suspect is not barely in the words or name, but in the thing itself; & that all the difficulties about general taxes on the one hand, & requisitions of C. for money, to be complied with by the states, on the other, arise from this source. If we were in any sense one Government with one Legislative & one Executive, there would be no difficulty in laying general taxes. If we were Independent States allied, & either of the allies refused to comply with the terms of the alliance, the others might seek new allies, or take their measures to compel a performance or act in the Legislature as such a refusal would render proper. As it is, I confess, tho' I agree with you that general taxes will not probably take place, & if they did would operate very partially, & be submitted to with more or less cheerfulness as they affected the states more or less beneficially, — yet I cannot see any dawn through the clouds that obscure the other course. The states will not comply unless they please, & their pleasure is the result of popular interested debates, in which if the people most influential have corrupt designs they will always fail of success, but if they are ever so honest will frequently fail, because their influence will be oppos'd by Ignorance & Wickedness, the former a very obstinate foe, & the latter a very artful one. If the requisitions are not complied with, where lies the remedy? Coercion I think you give up, & indeed it must fail, for most frequently the delinquents would be the most powerful party, & besides the contests would be perpetual. A new convention to settle a Constitution is a measure proposed. I have with you great doubts of its efficacy. The business of Government making, however easy it may be esteem'd, or however plausible it may appear, I have long been of opinion is rarely if ever accomplish'd by consultation. Governments make themselves, or grow up out of the ground; that is, out of the habits, the wants, the wishes of the people; & if all the wise men of the East & of the South were to meet in the Center & form a system that other people would admire & lavishly extol, I suspect it would turn out like Shakespear's "baseless fabrick of a vision." What then is to be done? Blunder on — mend where we can, bear where we cannot — lose on this side, gain on that, & leave to time, accident, or artifice the formation of a better plan. I have ventur'd a set of thoughts — mine often are of sudden growth — these are so. I must once for all beg you to permit me to write in dishabille; if it is not a mark of so much respect as I owe, it is of my friendship & confidence. I wish the Genl Court could know by some explicit declaration of C. what they ought to do as to pay, &c., of the army previous to 1782. I wish we may be exempt from taking up the matter.

I am with much Cordiality your friend & serv^t

J. LOWELL.

Legal Opinion of Judge Lowell for Gov. Bowdoin.

The only clause in the Constitution w^h respects the authority of the Gov^t over the Militia is the 7th Article of the 1st Sect. 2^d Chap.: the Gov^t by this article has a right for the safety of the Commonwealth as its defence to assemble in martial array & put in warlike posture the

inhabitants of the Commonwealth, & with them he has a right to encounter, resist, repel, pursue, & kill all & every such person as shall, in an hostile manner, attempt or enterprize the destruction, invasion, detriment, or annoyance of this Commonwealth. This clause of the article describes the authority of the Gov^t over the Militia, & his power & duty respecting those who shall in an hostile manner, &c. His authority over the militia is surely as extensive as could be wish'd; he may assemble them in martiall array, put them in warlike posture, & with them encounter, kill, &c. The next clause describes the persons to be encounter'd, kill'd, &c., & includes by the terms of it all & every such person or persons as shall in an hostile manner attempt, enterprize, &c. The words are general, & in their own force intend all those who are inhabitants of, or live within the state, as those who are from without, or are foreign enemies. This Clause is also equally extensive in its clear design as plac'd in the Constitution, for it is evident by the injury which the persons to be attack'd, &c., are suppos'd to be doing or intending to do, viz. the destruction & detriment as well as the invasion & annoyance of the Commonwealth, that internal enemies as well as foreign are design'd. Further, when law martial is exercised in case of rebellion declar'd to exist by the Legislature, no new or other authority is given the Gov^t or the militia under him to suppress such rebellion than is given by the words already cited. It is therefor demonstrable that the natural & proper sense of the words is the same sense in which they are used in the Constitution. The only question, then, that at any time can arise, is whether there are any persons who in an hostile manner are attempting or enterprizing the destruction or detriment of the Commonwealth; & can there at any time exist such a doubt, when persons are in arms opposing the adm^t of justice, quartering themselves on private houses, & refusing to disperse. There is another clause in the same article, from which some persons attempt to show that the Gov^t has no authority to call out the Militia against internal enemies which may in an hostile manner, &c.; which is, that he is autoriz'd, in case of war or invasion or rebellion declar'd by the Legislature to exist, [to] exercise law martial over the Militia; they then conclude that, without such declaration, law martial cannot be exercised in rebellion. Admit the conclusion, & to what does it amount? Only to this, that they must be govern'd by the militia & other laws of the Govern^t & not by law martial, but it cannot in any degree prevent the suppression & destruction of the rebellion with^t law martial. (It may be of some consequence to consider what law martial is, or was when the Constitution was made. Before the Revolution, statutes were made for the regulation & Government of the army & navy of the kingdom, by w^h modes of trying military offenders other than by the usual law of the land were instituted. This then was law martial.) Surely these laws were not in force here when the Consti^t was made more than at this time. Rules & regulations have been made by Congress for the gov^t of the continental Forces. These had for their subject the continental forces & the militia when serving with them, & so far was law martial;

but this could never be consider'd as the law martial of the State. The Militia Acts of this State have their proper construction & effect whether the Legislature declare the Existence of a rebellion or not (& all the Government which by them is given to their officers exists). On this Construction the declaration of rebellion simply would give the Gov! & the officers of the Militia no greater authority than they now have, & have they therefore no auth? This would be a strange & unwarranted conclusion. It may be ask'd, what is then the intention of the Constitution as to law martial? I conceive it to be this, the framers of it suppos'd that the State might think it expedient to make a system of law martial for the Government of their forces, whether regular or Militia, in which different penalties & modes of trial might be provided; these they did not intend should be applied to the citizens of the State, but in case of rebellion declar'd to exist they reserv'd military execution, &c., for such a time & case.

What power has an individual or a civil officer in case of treason or felony committed or about to be committed, & how will those principles apply to the militia, to those who lead or those who sent them? An individual may apprehend a traitor or felon, he may prevent a traiterous or felonious act. He is bound to do both if present; *a fortiori*, a civil magistrate, — they have both a right to go to the place where treason or felony are about to be committed, to prevent the same; they have a right to go armed in such manner as may be necessary to defend themselves, prevent the treason or felony, & apprehend the traitor or felon.*

[Copied from original rough sketch.]

The President communicated the Award in the matter of the Hutchinson Papers as follows:—

The Society will certainly not have forgotten that, after a long and vexatious controversy with the Commonwealth in regard to certain "Hutchinson Papers," — presented to the Society by the late excellent Alden Bradford, about fifty years ago, while he was the Secretary of the Commonwealth, and presented, as he said, by the consent of the Supreme Executive of that period, with at least the implied concurrence of the Legislature, to which he reported what he had done, — it was finally agreed by us, on recently discovering that the word "deposited" was used by Mr. Bradford, in one of his communications, instead of "presented," as he had said in all his other communications on the subject, that we would no longer contend against the persistent demands of the Commonwealth, but would surrender to their custody all the papers received by us from Mr. Bradford, as soon as an Arbitrator agreed

* There is no date to this draft, but the paper was unquestionably written at the time of the breaking out of Shays's Rebellion in Massachusetts, in 1786. — Eds.

upon by the parties, after a careful and impartial investigation, should have identified those Papers.

Having thus waived our claim to those Bradford-Hutchinson Papers, nothing remained for us but to open our archives and records freely to the examination of the Arbitrator, and to abide his decision. This we have done; and a formal copy of the Award having been transmitted to me during the past week, I take the earliest opportunity of laying it before the Society. I do so in the full belief that the Society will at once direct its Librarian to comply with the Award.

In yielding up to the State, after a possession of half a century, these original historical manuscripts, it is a satisfaction to us to remember, that there is nothing in them which has not been either printed or copied, and that they will still be in safe keeping for any reference which we or others may desire.

He then read the substance of the decision of Robert S. Rantoul, Esq. (the Arbitrator), as follows :—

"That the papers constituting those volumes [the three volumes lettered "Hutchinson Papers"] are sufficiently identified as being part, if not all, of the documents called the Hutchinson Papers, received by the Society from Secretary Bradford; and that they should be surrendered to the Commonwealth, in accordance with the terms of this arbitration."

It was thereupon *Voted*, That the Librarian be instructed to comply with the Award, under the direction of the Committee on the "Hutchinson Papers," taking a receipt for the volumes.

The President read from a newspaper an account of a collection of historical portraits, recently discovered in Philadelphia, of cabinet size, by the well-known artist Sharpless.

There was also announced a gift of a cane of orange wood, by Miss D. L. Dix, which grew on the Arlington Estate in Virginia, originally derived through seeds or slips from trees planted by Washington at Mount Vernon.

The President said that the Curator of the Peabody Museum, Professor Jeffries Wyman, had extended an invitation to all interested to visit the Museum; the collection being placed in an upper room in Boylston Hall, and arranged in order for inspection.

The President said that our associate, Mr. Waterston, had invited the members to an evening meeting at his house, on the 16th December,—the one hundredth anniversary of the "Destruction of the Tea in Boston Harbor,"—and that the Standing Committee had accepted the invitation. He further said that Mr. Waterston would like the privilege of taking to his house for exhibition on that evening the Edes punch-bowl

and the phial of tea in the Society's Cabinet, also some volumes of newspapers of the year 1773.

Voted, To allow Mr. Waterston to take from the Society's rooms the articles named.

Dr. Edward Palmer, who is now connected with the Museum of Comparative Zoölogy, at Cambridge, applied for portions of articles in the Society's Cabinet, to form an historical composition for the Centennial Celebration at Philadelphia, on the 4th of July, 1876. The application was referred to the Cabinet-keeper, with full power.

The President communicated a letter from our Corresponding Member, Mr. Sainsbury, accompanied by a copy of *Memoranda* from papers in the Public Record Office of England. In the mass of chaff which these memoranda contained, there might perchance be a grain or two of fact; but they are only worthy of being printed as a warning of the false, and sometimes foul, statements which found their way, in old colonial times, to the English Government.

[These Memoranda are in the handwriting of Sir Joseph Williamson, who held the office of Under-Secretary of State, and subsequently that of Secretary of State, under Charles II., and who has indorsed them, "From Maj^r Scott's mouth" ? about 1667].

{ P. R. O. Sir Hen. Vane in 1637 went ov^r as Govern^r to N. Engl^d
Colonial wth 2 women, M^r Dier & M^r Hutchinson, wife to Hutchin-
Papers. son's Brother, wth he desbauched both, & both were delivered
of monsters. Received y^e K^{ing} Comissⁿ, then banished. M^r
Cotton dyed in 1654, & lived there 26 years. Left 2 sonnes,
both Epöcall.

New England at p's' hath

I. y^e Massachusetts (Elbowe), Boston is y^e head of it, & stands scituate on 7 hills (Gorton's Simplicity's defence ag^t y^e 7 headed Policy of Boston in N. Engl^d); in 1664 had 14,300 soules; of great Trade to Barbadoes wth fish & other provisions, wth fruit (?) they fetch from Long Island, &c.; 300 vessells that trade abroad to Barbadoes, Virginia, Maderas, Acady, &c.; y^e Towne arched into (?) y^e Sea upon Piles, so as shippes come up to their doores.

1300 Boates that fish at Cape Sables, &c.

1. Merchantible & best Fish send to Malaga & Canaries.

2. sort they send to y^e Portugall Islands.

3. y^e worst to Barbadoes.

This as all other Townes is governed by 7 Townesmen (so called), of wth one is a principall person, and of y^e Quorum (?) annuall. chosen by y^e Council & Freemen.

The Milatia is und^r a Majo^r Gfall chosen annually by beanes (?); may have 30,000 fighting men. In every Town

they have an Artillery wth meets weekly, & all from 16 to 60 traine 8 times in y^e yeare, and all men of y^e Seamen 2, & of such there are at least 8 or 10,000, part of y^e 30,000, wth are fishermen.

Divided into 4 Countyes.

They are 4 of y ^e associated Countyes	}	Essex. Suffolke. 3. 4.
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Their University is called Cambridge, y^e Colledge is called Harvey (*sic*) Colledge. about 28 [? years] since, who went hence wth y^e Ladyes Arabella & Susanna who went wth M^r Cotton, the E. of Lincolnes sisters. One Dunstan (a Presbyterian Anabaptist) professo^r there, a very ingenious tho' heterodoxe man.

Eaton Dunstan & Chancey	}	their Professors successively.
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Leverett is their Maj^r (& y^e People is y^e Generall); Bellingham, Governo^r, annuall, p^rsides in all Councill, &c., & hath a double vote.

Willoughby, Dep^y Govern^r

One Pike (?) a hopefull man & of great interest among them. [torn away]

Charter
29

They can by their Charter make but 18 Magistrates & Govern^r, but they decide (?) by making Commiss^{rs} &

Dep^{ties} of y^e Court, as they call it.

The great quantity of Pease, Porke, &c., is from y^e Sea Coast that bord^r Plimouth & Connecticut Colonies.

Have 76 Townes and villages.

Salam Ipswich Charles Towne	}	great Townes of Trade. Codd & Mackerell—in y ^e Elbow Mackerell.
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They have a mind to enlarge their Patent.

Province of Maine. from A. to B. first Granted to S^r Ferd. Gorges, afterwards L. Gorges, & by him to divers others, one Eldredge, [Elbridge?], Godfrey, &c. Now severall of these Towns, as Winterharbor, Saco, Yorke, &c., have been hooked in by y^e Massachusetts, & so their strength goes to that Colony.

Great Fisheries at Isle of Shoales, &c. At Isle of Shoales are more than 1500 Fishermen.

^ x ^
^ ^

was part of that that was granted in 1632 to S^r W. Alexander or E. of Sterling in recompense of Canada, then restored to y^e French, & so was Long Island another part, now both are y^e D. of Yorke's, y^e E. of Sterling's Interest being bought out.

Very mountainous & rude uncultivated Country, onely good Harbo' & fit for fishery.

Y^e Great advantage of this Country will be to be able to take away y^e Fish Trade from y^e Massachusetts, & overbalancing them.

Canada.

Cold & yet but as France (from y^e Great Lakes & y^e snow on y^e mountaines. Winds are generally all Westerly & W. N. W. in y^e latitudes of 43 & 45, &c.)

It is called Nova Scotia,—all o^r generally.

Y^e latitude 32½ wth is Bermudas & Gulfe of Lewis (?) generally Stormy, there y^e wind blowes differently, but generally Southerly.

Cap Breton—an Island with coale on y^e very surface.

T. Temple dwells idely at Boston & is fooled by them. Fort S^t John & Fort Roy^l are y^e only 2 great places, but T. T. suffers them of Boston to trade thither, & robs y^e English.

Fish, coale, furs.

Boston persuaded T. T. to raze his forts, 1662, to spare charge, &c., & so he did, to free themselves from us, & take off y^e checke wee might bee ov^r them. Hopes of copper in several Places. Stands (?) out like fingers, armes & leggs.

Boston payes 1.12^s p Tone in goods from Connecticut & L. Island, q. much more Long Island might gaine, if they would be industrious.

The F. have Quebec, a stronghold, & trade up by y^e Riv^r to it a long passage.

Plimouth—is y^e Elbow of Land about 80 miles long, 22 in breadth, about 1600 men. One Winslow is their Majo^r, an ingenious (?) man. Much unconsiderable in comparison of y^e Massachusetts. A good silent People, nev^r querulous (?) in y^e Rebellion. Planted in the yeare 21.

It holds a deed of y^e Plimouth Corpora^{ti}on p gladium Comitatus. Mem. y^e D. of Bucks. now alive, being young, gave up that Plimouth Corpora^{ti}on Charter to one Willis his Tut^r, who sent it into N. Engl^d, & so it fell into their hand. Plimouth Corpora^{ti}on, so called from y^e Towne in Engl^d where their Councill was held.

Massachusetts has a Castle or Fort at the entrance of Boston, called Castle Island.

Y^e old Pretended grant made to L. Say, &c., was nev^r passed y^e Seale, &c.

Observe they had an Ord^r of Parliam^t in 1649 (?) for their Corpora^{ti}on, w^{ch} argues they had no Patent before.

From Hudson Riv^r to y^e E.wth of Delaware Bay (New Jersey so called) by L. Berkley & S^t Geo. Carteret for y^e D. of Yorke's Patent.

Pipestaves, Bread, Beeff, Porke, whale oyle.

Sea rich in whales neare Delaware Bay.

Note, most whales about that end of Long Island, &c., as Codd about Nova Scotia.

Maryland. L. Baltimore is Sovereigne, coynes, issues out all Arrests in his owne name. Likely to have had it in some right of y^e L. Delaware, to whom he was allied. At p^rs^t none of y^e family of Delaware have any right in those parts.

Virginia.

Planted about 100 miles up into y^e Country near y^e River.

James City wth about 20 Houses, but very large. Abroad are little Settle^{mt}s.

Fine Riv^r:

Berkley a little agueish.*

His M^y is absolute Sovereigne here.

Y^e salt water that lyes between y^e maine & Accomacke is about 10 leagues ov^r:

Jucatan is, w^t doe y^e^m say.†

Indorsed, — "From Majo^r. Scott's mouth."

* I very much doubt this reading. The writing throughout is most difficult to decipher. (*Mr. Sainsbury's note.*)

† Here the paper ends. Probably there was some interruption to the interview between Sir Joseph Williamson and Major Scott. There are other memoranda made by Williamson "from Major Scott's mouth," relating to islands in the West Indies, from which it appears that Tobago was taken from the Dutch by Major Scott, in October, 1665. (*Ibid.*)

It is quite probable that this "Major Scott," from whose mouth Williamson took down these worthless memoranda, was identical with the "Captain John Scot" noticed by our associate, Colonel Aspinwall, in our "Proceedings," under date of June, 1862, pp. 65-74. The Publishing Committee had serious doubts about printing this paper, but they finally thought it might at least serve to show what kind of matter sometimes found its way upon the public records of England as materials for history! — Eds.

A Memoir of the late Rev. John S. Barry, by Mr. C. C. SMITH, was laid on the table, and referred to the Committee on the Publication of the "Proceedings."

MEMOIR

OF

REV. JOHN STETSON BARRY, A.M.

BY CHARLES C. SMITH.

JOHN STETSON BARRY, son of William and Esther (Stetson) Barry, was born in Boston, March 26, 1819. His early education does not appear to have been very thorough or systematic, though he is remembered as a bright, active boy. At the age of thirteen he entered the English High School; but before completing the regular course he was transferred to the Latin School, where he remained only a short time. On leaving school, he studied for the ministry with the Rev. Hosea Ballou, 2d, afterward President of Tufts College.

In the autumn of 1838 he was ordained minister of the Universalist Church in West Amesbury, Mass. Here he remained until the following autumn, when he removed to Weymouth to take charge of the Universalist Church in that place. While resident at Weymouth he married, April 8, 1840, Louisa, daughter of Lott and Kezia Young, of Roxbury. In the spring of 1841 he was invited to become minister of the church at West Scituate, near the confines of Hanover, where a considerable part of the society resided, and to which place he shortly afterward removed. After continuing in the pastorate of this church for three years, he went to Pawtucket, R.I., and preached there for a short time; but his health failing he returned to Hanover, and devoted himself to farming, employing a portion of his time in literary pursuits.

In 1847 he published "A Genealogical and Biographical Sketch of the Name and Family of Stetson, from the year 1634 to the year 1847." This is a careful and well-arranged monograph, showing diligent research, and embodying much interesting information with regard to Cornet Stetson, the first of the family who came to America. There are also notices of several of his descendants; and in spite of a somewhat too obvious pride of ancestry, and a disposition to magnify the

characters and services of some of the persons mentioned, it is one of the best works of its class.

Six years afterward Mr. Barry published a much larger and more elaborate work, — "A Historical Sketch of the Town of Hanover, Mass., with Family Genealogies." This volume is not less creditable to his antiquarian zeal and his diligence in gathering materials for his work than was its predecessor; but its literary execution is sometimes open to criticism. Accustomed to public speaking, Mr. Barry did not always keep in mind the difference between a popular discourse and a printed memoir; and there are not infrequently passages of jejune and tawdry rhetoric which might pass unchallenged in a lecture-room, but which will not bear the test of print. So far as painstaking research and orderly arrangement are required, nothing more can be desired; and the genealogical part, which fills a little more than half of the volume, gives abundant evidence of Mr. Barry's patient industry, and would in itself entitle him to an honorable place among genealogists.

In 1855 he published the first volume of a "History of Massachusetts," bringing the narrative down to the close of the Colonial period; and in November of that year he was elected a member of the Historical Society. In the following year he issued a second volume, covering the Provincial period; and in 1857 appeared the third and concluding volume, which extended over the period between the commencement of the War of Independence and the year 1820. This work was designed mainly as a popular compilation from the best and most recent printed authorities, rather than as an attempt to throw new light on the subject by independent investigation. Indeed, the short time allowed for the preparation of the work, and the rapidity with which the successive volumes followed one another through the press, would have prevented any thorough study of the manuscript sources of information. They were accordingly used very sparingly; and Mr. Barry does not appear to have had access to any of the materials to be obtained on the other side of the Atlantic. Judged, however, with reference to their obvious purpose, his volumes merit very high praise. His selection of authorities is careful and discriminating; his narrative lucid and exact; his judgments candid, and in general such as commend themselves to nearly all competent critics; and his style, if somewhat cold and passionless, is clear and correct. He had little imagination, and his descriptions are never glowing and picturesque. Nor does he ever rise into passages of genuine eloquence or of vivid characterization. These defects doubtless affected the popularity of

the History with the class of readers for whom it was specially designed; but they do not detract from its real merits. Within the limited field to which Mr. Barry's labors were confined he has had no superior.

While engaged in the preparation of this History, the fortunate discovery was made which led to the identification and publication of Bradford's long-lost "History of Plymouth Plantation." The circumstances connected with this important service to historical literature are so fully stated in the Editorial Preface to Bradford's History that they need not be repeated here. It is sufficient to add that, although the lost History had been identified with a manuscript in the Fulham Library six or seven years before Mr. Barry noticed the coincidence between the citations by Bishop Wilberforce and the passages quoted from Bradford by Morton and Prince, no one of our own antiquaries appears to have had any knowledge of the discovery, until after Mr. Barry had called attention to his own independent discovery.*

Shortly after the publication of the first volume of his "History of Massachusetts" he removed to Roxbury, where he remained until the completion of the work. He then became minister of the Church at Needham, retaining charge of the pulpit for about two years.

In 1861 he was appointed editor of "The Universalist," an influential denominational paper published in Boston; and in the same year he received the honorary degree of Master of Arts from Tufts College. He resigned the editorship of this journal in 1862.

At a later period, during the fever of speculation which attacked so many persons after the breaking out of the Rebellion,

* In 1845 the Rev. J. S. M. Anderson published the first volume of a "History of the Church of England in the Colonies and Foreign Dependencies of the British Empire." This was followed by the second volume in 1848, and by the third volume in 1855. A second edition, a copy of which is in the Library of the Historical Society, was published in 1856. In this edition, vol. ii. p. 193, is the following note, — and the same note is in the edition of 1848: "Few passages are to be found in which this hatred of Puritans against the Episcopal Order is expressed in more awful terms than in Bradford's MS. History of Plymouth Colony, of which he was the first Governor. The bitterness of his rancor upon hearing of the downfall of the Bishops is only equalled by the falseness of his prophecy that they should never be restored. Prince's Annals of New England are chiefly compiled from this MS., which is now in the possession of the Bishop of London." Bishop Wilberforce, who published his "History of the Protestant Episcopal Church in America" in 1846, simply refers to a "MS. History of the Plantation of Plymouth, &c., in the Fulham Library," and it was from the citations in this volume that Mr. Barry was led to think that he had discovered Bradford's History. There is no reason for supposing he had ever seen Mr. Anderson's volumes.

he embarked in some financial schemes which proved disastrous to himself and to those who were connected with him.

In 1869 he removed to Wakefield, and resumed his literary labors; but the state of his health was such that he was compelled to lay aside his pen. Suffering much from depression of spirits, and from a severe nervous disease which was aggravated by a fall and at times confined him to a couch during a considerable part of every day, he nevertheless looked forward to a resumption of work. In November, 1872, he went to St. Louis, Mo., partly to spend the winter with a recently married daughter, and partly in the hope that a change of air and scene would contribute to the restoration of his health. But this hope was disappointed; and, after a short and severe sickness, he died in that city, December 11, 1872, leaving a widow and four daughters.

The subject of the By-Laws was now considered, and the following code was adopted, comprising all the By-Laws of the Society:—

BY-LAWS.

CHAPTER I.

OF MEMBERS.

ARTICLE 1. — The Regular or Resident Members of the Society shall be elected from among the citizens of this Commonwealth, and shall cease to be members whenever they cease to be citizens thereof. Honorary and Corresponding Members shall be elected from among those persons who are not citizens of this Commonwealth, and the latter shall cease to be members if at any time they become citizens thereof. Resident Members only shall be entitled to vote or to take part in the business transacted at the meetings of the Society.

ART. 2. — A book shall be kept by the Recording Secretary, in which any Resident Member of the Society may enter the name of any person whom he may regard as suitable to be nominated as a Resident, Corresponding, or Honorary Member; it being understood that each member is bound in honor not to make known abroad the name of any person proposed or nominated. But no nomination of any member shall be made except by a report of the Standing Committee or Council,* at a stated meeting of the Society, nor be acted upon at the same meeting to which it is reported; nor shall more than two candidates for membership, of the same class, be reported at any one meeting.

ART. 3. — Nominations of Corresponding or Honorary Members shall be accompanied by a brief statement of the place of residence and qualifications of the person nominated.

ART. 4. — All members shall be elected by ballot; and, in balloting for members, the law and custom of our forefathers shall be observed, by taking the question with Indian corn and beans; the corn expressing *yeas*, and the beans *nays*.

* The body hitherto called the "Standing Committee" is now called the "Council" of the Society.

But no person shall be deemed chosen, unless there be twenty members present at the election, nor unless three-fourths of all the members present shall have voted affirmatively.

ART. 5. — Each Resident Member shall pay twenty dollars at the time of his admission, and ten dollars annually afterwards, into the treasury of the Society, for its general purposes; but any member shall be exempted from the annual payment, if, at any time after his admission, he shall pay into the treasury one hundred and fifty dollars in addition to what he may before have paid; and all commutation fees shall be funded by the Treasurer, and the interest only used for the current expenses of the Society. Each Resident Member shall be entitled to receive a copy of all the regular publications of the Society, issued after his election, without charge; and all members who have paid the commutation fee shall be entitled to the privilege of the Library, and to copies of the publications, for life, even should their membership cease by removal from the State or by resignation.

ART. 6. — If any person elected as a Resident Member shall neglect, for one year after being notified of his election, to pay his admission-fee, his election shall be void; and, if any Resident Member shall neglect to pay his annual assessment for two years after it shall have become due and his attention shall have been called to this article in the by-laws, he shall cease to be a member; provided, however, it shall be in the power of the Treasurer, with the consent of the President, to dispense (*sub silentio*) with the payment of the assessment, whenever, in any special instance, they may think it advisable to do so. Each person who shall be elected a Resident Member shall, when notified of it, be furnished by the Corresponding Secretary with a copy of this Article and the preceding one.

ART. 7. — Diplomas signed by the President, and countersigned by the two Secretaries, shall be issued to all persons who have become members of the Society.

CHAPTER II.

OF MEETINGS.

ART. 1. — There shall be a Regular Meeting of the Society at eleven o'clock, A.M., on the second Thursday of every month, at their rooms in Boston; provided, however, that the

Council shall have authority to postpone any such monthly meeting, or to dispense with it altogether, or to direct it to be held at other rooms, whenever a day of public observance shall happen on the second Thursday of any month, or whenever a different time or place shall, for any cause, be obviously for the convenience of the members. Special meetings shall be called by either of the Secretaries, whenever requested so to do by the President, or, in case of his absence or inability, by one of the Vice-Presidents or by the Council.

ART. 2.—At all meetings, the President shall take the chair in five minutes after the time appointed in the notification; and the record of the preceding meeting shall then be at once read. After which, at all Special Meetings, the special business for which the meeting was called shall be transacted; and, at all Regular Meetings, the order of business shall be as follows:—

First, The Librarian shall make his report.

Second, The Cabinet-keeper shall make his report.

Third, The Corresponding Secretary shall read any communications he may have received.

Fourth, The unfinished business and the assignments of the last meeting shall be taken up in their order.

Fifth, The Council shall be called on to report its doings since the last meeting.

Sixth, Other committees shall be called on for reports.

Seventh, The Society shall then proceed to such matters of business as may be proposed by any member; after which members generally shall be invited to make any communications on any subject having relation to the purposes of the Society; and, for the orderly accomplishment of this object, the Society shall be divided into three sections, as nearly equal in numbers as may be, each of which, in regular sequence, shall be notified by the Recording Secretary, that the Society, at the next meeting, will receive from it such communications; and the officer presiding at the next meeting shall call upon members of such section to offer any communication; after which, the communication so made may be discussed by the Society generally.

ART. 3.—Fifteen members shall be a quorum for all purposes except the election of members, as hereinbefore provided; and excepting, also, for alterations of the By-laws, which shall not be made unless twenty persons are present, nor unless the subject has either been discussed at a previous meeting, or reported on by a committee appointed for the purpose.

ART. 4. — At the request of any two members present, any subject proposed for discussion shall be once deferred to a subsequent meeting, before it is finally disposed of.

ART. 5. — All committees shall be nominated by the chair, unless otherwise ordered.

CHAPTER III.

OF OFFICERS.

The officers of the Society shall be a President, who shall be, *ex officio*, Chairman of the Council; two Vice-Presidents; a Recording Secretary, who shall also be, *ex officio*, Secretary of the Council; a Corresponding Secretary; a Treasurer; a Librarian; and a Cabinet-keeper, — all of whom shall be chosen by ballot at the monthly meeting in April, and shall hold their respective offices for one year, or until others are duly chosen in their stead. At the same meeting five members shall be chosen (no more than two of whom shall hold their places for more than two successive years) who, with the foregoing officers, shall constitute the Standing Committee or Council of the Society; which may fix its own quorum, provided that no nomination of members shall be made to which less than seven of its number shall have assented at a meeting of the Council.

At the regular monthly meeting preceding any election of officers, a Nominating Committee, consisting of three persons, shall be appointed, who shall report to the meeting at which the election is to be made a list of members for the places to be filled.

CHAPTER IV.

OF THE PRESIDENT.

The President shall preside in all meetings of the Society when present, and, when absent, one of the Vice-Presidents in the order of their names. In the absence of all these officers, a President *pro tempore* shall be chosen.

CHAPTER V.

OF THE RECORDING SECRETARY.

ART. 1. — The Recording Secretary, or, in case of his death or absence, the Corresponding Secretary, shall warn all meetings of the Society, by causing to be sent, through the post-office, to all the Resident Members, notices of each meeting. Notices of the regular meetings shall be issued on the Monday preceding.

ART. 2. — He shall keep an exact record of all the meetings of the Society, with the names of the members present; entering in full all reports of committees that may be accepted by the Society, unless otherwise specially directed, or unless the same are to be included in the printed proceedings.

See Chap. IX., Art. 6.

CHAPTER VI.

OF THE CORRESPONDING SECRETARY.

ART. 1. — The Corresponding Secretary shall inform all persons of their election as members of the Society, and on their acceptance shall issue the proper diplomas.

ART. 2. — He shall carry on all the correspondence of the Society not otherwise provided for; and deposit copies of the letters sent and the original letters received, in regular files, in the Library.

CHAPTER VII.

OF THE TREASURER.

ART. 1. — The Treasurer shall collect all moneys due to the Society, and shall keep regular and faithful accounts of all the moneys and funds of the Society that may come into his hands, and of all receipts and expenditures connected with the same, — which accounts shall always be open to the inspection of the members; and, at the regular meeting in April, he shall make a written report of all his doings for the year preceding, and of the amount and condition of all the

property of the Society intrusted to him. One week before the monthly meeting in April of each year, he shall give notice to every member of any assessment remaining due from him.

ART. 2. — He shall pay no moneys, except on vote of the Society, or on voucher of an officer or committee acting conformably to its laws or orders.

CHAPTER VIII.

OF THE COMMITTEE ON THE TREASURER'S ACCOUNTS.

At the monthly meeting in March, annually, a Committee shall be appointed by nomination from the chair, consisting of not less than two persons, whose duty it shall be to examine the Treasurer's accounts for the year preceding, and at the monthly meeting in April to report thereon, and on the state of any property of the Society in his hands.

CHAPTER IX.

OF THE LIBRARIAN, AND OF THE LIBRARY.

ART. 1. — The Librarian shall have charge of all the books, tracts, maps, manuscripts, and other property of the Society appropriate to a library; and shall cause to be made, and kept exact and perfect, catalogues of each and all of them, doing whatever may be in his power, at all times, to preserve and increase the collections under his care.

ART. 2. — He shall acknowledge each donation that may be made to the Library, by a certificate addressed to the person making it.

ART. 3. — He shall, at every monthly meeting of the Society, report all donations made to the Library since the last monthly meeting, with the names of the donors; and, at the annual meeting, shall present a statement of the condition and wants of the Library, with a notice of the important accessions that may have been made to it during the year.

ART. 4. — He shall cause to be kept an exact account of all

books taken out, with the names of the persons who take them, and the dates when they are borrowed and returned.

ART. 5. — He shall report in writing, at each monthly meeting, the name of every book that has been out of the Library for a longer term than is permitted by the by-laws, and shall use his discretion in obtaining the return of such books.

ART. 6. — He may have an assistant, not a member of the Society, appointed by the Council, who shall aid him in all or any of his duties; who shall also aid the Recording Secretary in notifying meetings, copying reports, or in any other way that may be required, and who shall render such other services to the Society connected with its Library or its general proceedings as the Council may direct.

ART. 7. — The Librarian shall be present in the Library, in person or by his assistant, at the regular hours, and at such other times as may be appointed for keeping it open; and shall endeavor to render it useful to all who may resort to it.

ART. 8. — Any Resident Member of the Society may take from the Library three printed volumes at a time, and keep each of them four weeks, with a right to renew the loan for four weeks more, unless some other member has, in that interval, asked for it in writing; but if he retains it beyond this second period, he must first obtain the written assent of a member of the Council, permitting him to do so, or he shall be fined ten cents a week for each volume so retained.

ART. 9. — All members taking books from the Library shall be answerable for any injury done to the same, to such amount as may be deemed just by the Council; and any person neglecting to pay any fines, or assessments for damages, one month after he shall have received notice of the same from the Librarian, or otherwise abusing his privilege to the injury of the Library, shall, by order of the Council, be interdicted from access to the same.

ART. 10. — At the written request of any Resident Member of this Society, the Librarian shall permit any person to visit and use the Library, at such times as the Librarian may be in attendance; such member becoming thereby responsible for any injury to the property of the Society that may result from such introduction of a stranger.

ART. 11. — At the written request of any Resident Member of the Society, the Librarian shall deliver to any one person indicated in such request, but to no more than one person at the same time, any book or books belonging to the Society,

which the member himself could take out; such member, by such request, making himself responsible that all the rules relating to the book or books so taken out shall be as fully observed by the person authorized to receive them as if he were a member; and that any injury accruing to the property of the Society, in consequence of the privilege thus granted, shall be made good by the member at whose request the grant is made.

ART. 12.—At the meetings in April, July, October, and January, the Librarian shall lay before the Society a list of the names of those persons, not members, who, during the preceding three months respectively, may have had access to the Library by permission of individual members of the Society, with the names of the members at whose request the privilege was granted; adding a statement of each injury that may have been sustained by the property of the Society, in consequence of granting such permission, and the name of the member bound to make it good.

ART. 13.—The Publishing Committee, for the time being, shall be permitted to take such books and manuscripts from the Library as they may need, in order to perform the duty assigned to them by the Society; but the Librarian shall make a record of whatever is so taken, and, as soon as the volume they may have in charge is published, he shall require the return of the same.

ART. 14.—All manuscripts of the Society shall be kept under lock and key, and be used only in presence of the Librarian or his assistant.

ART. 15.—Persons not members of the Society, engaged in historical pursuits, shall be allowed to consult the manuscripts belonging to the Society, provided an application in writing, stating the object of the inquiry, be first made to the Librarian, who shall make record of the same.

ART. 16.—No manuscript, and no part of a manuscript, belonging to the Society, shall be copied, except on permission granted by the Council, after an application in writing, specifying the manuscript, or part thereof, desired to be copied; and if any manuscript belonging to the Society shall, in consequence of such permission, be published, in whole or in part, the fact that it was obtained from the Society shall be required to be stated in its publication. But nothing herein shall be construed to prevent the publication of names, dates, and other chronological memoranda, without special permission.

ART. 17.—Manuscripts of a confidential nature shall be

retained in a place of special deposit, and shall be consulted only under such regulations as may be prescribed in each case by vote of the Society.

ART. 18. — No maps, newspapers, or books, either of great rarity or of constant reference, shall be taken from the Library, except by vote of the Society.

ART. 19. — All tracts, books, maps, and manuscripts belonging to the Society, shall be distinctly marked as its property; and any such tract, book, &c., that may be presented to the Society shall be marked with the name of the donor, and recorded as his gift.

ART. 20. — The Library shall be open on all week-days, from nine o'clock in the forenoon till sunset (but not later than six o'clock), throughout the year, except on the afternoons of Saturdays, and on days of public observance, and also during the fortnight before the annual meeting in April, when it shall be closed for examination; and all books that may be lent are hereby required to be returned previous to that fortnight, under a penalty of a fine of one dollar for each volume not so returned.

CHAPTER X.

RULES FOR THE DOWSE LIBRARY.

ART. 1. — The room in which the books are deposited which were presented to the Society by Thomas Dowse shall be known for ever as the DOWSE LIBRARY OF THE MASSACHUSETTS HISTORICAL SOCIETY.

ART. 2. — Agreeably to the condition prescribed by Mr. Dowse, no book shall be taken out of this room.

ART. 3. — Books may be used in the room by members of the Society, and by others introduced by them in person; but no book shall be taken from the cases except by members, or by the Librarian's assistant, who shall cause each book to be returned to its proper place immediately after it has been used.

ART. 4. — Meetings of the Society may be held in the Dowse Library, at the discretion of the Council; but the room shall not be used for any other meetings.

CHAPTER XI.

OF THE CABINET-KEEPER, AND THE MUSEUM.

ART. 1. — The Cabinet-keeper shall have charge of all coins, works of art, remains of antiquity, and other articles appropriate to the Society's Museum, and shall make and keep perfect and exact catalogues of the same.

ART. 2. — He shall acknowledge each donation he may receive, by letter, to the person making it. At every monthly meeting of the Society, he shall report whatever may have been added to the collection of which he has charge, with the names of the donors; and, at the annual meeting, shall present a full report of the condition of the Museum.

CHAPTER XII.

OF THE STANDING COMMITTEE OR COUNCIL.

ART. 1. — The Standing Committee or "Council," as vacancies occur in the Society by death or otherwise, shall, at their discretion, report nominations for Resident Members to fill the same.

ART. 2. — They shall pay the current expenses of the Society, drawing on the Treasurer, from time to time, for such sums as may be necessary for that purpose.

ART. 3. — They shall annually, in the month of April, make a careful examination of the Library and Museum of the Society, and also of the Dowse Library; comparing the books, manuscripts, and other articles in each, with their catalogues, respectively, and reporting at the April meeting, in detail, concerning their condition.

ART. 4. — They shall record in full, in a book kept by them for the purpose, any permission granted by any one of their number for the consultation of the manuscripts of the Society, by persons not members.

ART. 5. — They shall meet in the Society's rooms on the Monday previous to every regular meeting, at such hour as they may agree upon, and at such other times as the Chairman shall call them together, for the fulfilment of their appropriate duties, and for the purpose of facilitating the transaction of such business as will be brought before the

Society; and for making such arrangements as may be expedient for securing the communication of historical papers.

ART. 6. — They shall, at every meeting, report to the Society all their doings since the last meeting, suggesting at the same time such business as they may deem advisable to bring before it.

CHAPTER XIII.

OF THE PUBLISHING COMMITTEE.

ART. 1. — Immediately after the publication of any volume of the Collections of the Society, or at any other time when the Society may order, a Committee of not less than three persons shall be appointed by nomination from the chair, whose duty it shall be to prepare and publish another volume; for which purpose, free use is granted to them of all the manuscripts, printed books, and other resources of the Society, except the manuscripts deposited as confidential; said Committee being required hereby to return whatever they may have thus received, so soon as their use of the same for the purposes of such publication shall have ceased.

In every publication that shall be made from the income of the APPLETON FUND, or of the PEABODY FUND, there shall be inserted in each volume a statement in print, that it was made at the charge of that fund which bears the expense of the publication.

ART. 2. — The Recording Secretary, and two other members to be appointed by the President, shall constitute a Committee, with full power to provide for occasional reports, as well as for the permanent publication of the proceedings of the Society, subject to the following limitations: —

First, Neither the remarks nor the name of any member shall be introduced into any report without his permission.

Second, All papers read or remarks made by any member, which such member shall desire or be willing to have printed, shall be submitted to the above-named Committee for the purpose, and shall be subject to their discretion: provided, however, that any member may publish, on his own responsibility, any paper or remarks of his own which the Committee may not think fit to include in their report; it being understood that, in such case, the name of the Society is not to be used in any way whatever in connection with such publication.

SPECIAL MEETING, 1873.

A special meeting of the Society was held on the evening of the 16th December, 1873,—being the One Hundredth Anniversary of the Destruction of the Tea in Boston Harbor,—at the house of the Rev. R. C. Waterston, in Chester Square.

The President, the Hon. ROBERT C. WINTHROP, called the meeting to order at eight o'clock, and spoke as follows:—

We are here, Gentlemen, at the invitation of our valued associate, Mr. Waterston, to spend a social evening in recalling the events which have rendered this anniversary so conspicuous in our Colonial history. Some of us have been at Faneuil Hall this afternoon, to take a commemorative cup of tea with the ladies of Boston, and to give brief expression to the feelings which the place and the day could not fail to excite in the hearts of all who were assembled there. Under this quiet domestic roof, we are privileged to indulge in calmer reflections on what occurred just a hundred years ago, and to contribute, as any of us may be able, in the most informal and colloquial manner, such historical statements or facts as may befit the sober records of our Society, and such contemporaneous accounts and traditions as may serve to illustrate the spirit or the conduct of those who took part in the memorable transactions of the 16th of December, 1773.

At the meeting at Faneuil Hall, this afternoon, the chair, as you all know, was assigned to a grandson of the "Josiah Quincy, Junior," of our early Revolutionary period. We meet to-night under the roof of a grand-daughter of the same distinguished patriot. And I cannot refrain from giving expression, at the outset, to what seems to me the eminent appropriateness that the family name of the young Quincy of 1773 should be thus distinctly associated with these observances. We cannot look back upon the history of that period without remembering how soon and how sadly his name was to disappear from the rolls of the living, and to be lost to every thing except the grateful and affectionate memories of his fellow-countrymen.

Of the leading men of the Revolution whom Massachusetts is privileged and proud to claim as her children, the larger number lived to reap the rewards of their labors and sacrifices, in greater or less measure, after the struggle was ended and the victory won. I will say nothing of Franklin, in this con-

nection, as the glories of his mature life belong to Pennsylvania. And James Otis, it is true, the great orator of the earlier days of the Stamp Act,—that “flame of fire,” as John Adams called him, against “Writs of Assistance,”—had been the subject of a base assault some years before the event we commemorate, and had been compelled by disability to retire from the public service, and to await, in a condition worse than death, that merciful stroke of fire from Heaven which at last released him to his rest. There is said to have been a glimpse of him at Bunker Hill. His presence there, however, was only the shadow of a name, whose place in American history, and in American hearts, had been already and unchangeably fixed.

But, for the others, great opportunities and great achievements were still in the future. John Hancock lived to write his name where all the world should read it to the end of time, as President of the Congress of Independence, and the first signer of the Declaration, and afterwards to be the first Governor of our Commonwealth under its established constitution. John Adams lived not only to be the Colossus of Independence on the floor of Congress, but to be the first American Minister to England, and afterwards Vice-President and President of the United States. Samuel Adams, the foremost man of all, perhaps, at the period of which we are speaking, lived to be a leader in the Congress of the Declaration, and did not die without the highest honors of his native State; while if he failed to receive all the consideration to which he was entitled in his lifetime, it has been more than made up, for his posthumous and permanent fame, by the statue of him which Massachusetts has so recently ordered to be sent to Washington, as one of her two representative characters in the gallery of the Capitol. James Bowdoin, older than almost any of them, many years older than any except Samuel Adams, and upon whose feeble constitution the infirmities of age came early and heavily, lived to preside over the convention which framed our State Constitution, as well as to take a prominent part in the convention which adopted the Federal Constitution; and, as Governor of Massachusetts, to conduct the State with distinguished wisdom and safety through the perilous period of Shays's Rebellion. Even Warren, who played no second part in 1773, was spared for two years longer, to die a death more glorious, as far as historical fame is concerned, than any life, and to be associated forever with the great events at Lexington, and Concord, and Bunker Hill. When the Centennial Anniversary of those events arrives, his name, we all know,—with that of Colonel Prescott,—will have its rightful pre-eminence.

But when Josiah Quincy, Jr., at the early age of twenty-nine, made that brilliant speech in the Old South Meeting-house, one hundred years ago to-day,—the last formal speech made by any one before the destruction of the tea was consummated,—his career was rapidly approaching its close. The fever flush was already on his cheek. An admirable and masterly pamphlet remained to be written by him, and many other powerful contributions to the newspaper press. But a voyage to England was soon rendered necessary by his failing health, and from that voyage he only returned to die within sight of his native shores on the 26th of April, 1775,—seven days only after the fight at Lexington, of which he could never have heard; twenty days only before the battle of Bunker Hill, when Warren, the friend whom he so much yearned to see, was to follow him to the sky.

Am I not right, then, in speaking of the peculiar fitness, that the name of one who was thus so soon to be cut off from all part or lot in the other great days of that struggle for liberty, for which, young as he was, he had done so much to prepare the way, should be recalled with special distinctness and with special distinction on this first commemoration of our grand centennial era?

I have here the original draft of a letter from James Bowdoin, in his own hand, to Benjamin Franklin, then in London, which may be interesting on this occasion. It is dated Boston, Sept. 6, 1774, after the destruction of the tea had brought upon us the vengeance of the British Parliament in the shape of Port Bills and Army Bills, and contains the following language: "The several Acts of Parliament relative to this town and province will instamp eternal infamy on the present administration, and 'tis probable that they themselves will soon see the beginning of it. The spirit those Acts have raised throughout the colonies is surprising. It was not propagated from colony to colony, but burst forth in all of them spontaneously, as soon as the Acts were known; and there is reason to hope it will be productive of an Union that will work out the salvation of the whole. The Congress now holding at Philadelphia, which was intended to effect such an Union, it is earnestly wished may be the means of establishing, on a just and constitutional basis, a lasting harmony between Britain and the colonies." "*Pro aris et focis*, our all is at stake," is the general cry," he continues, "throughout the country. Of this I have been in some measure a witness, having these two months past been journeying about the province with Mrs. Bowdoin on account of her health, the bad state of which has

prevented my attending the Congress, for which the General Assembly thought proper to appoint me one of their Committee."

The main interest of this letter, however, in connection with what I have been saying, is in the fact that it was a letter introducing Josiah Quincy, Jr., to Benjamin Franklin, and borne by him across the Atlantic in that voyage from which he was not to return alive.

"It is needless," says Bowdoin, "to enlarge on the subject of American affairs, as the worthy and ingenious gentleman, Mr. Josiah Quincy, Junior, of distinguished abilities in the profession of law, who does me the favor to take charge of this letter, can give you the fullest information concerning them, and his information may be depended on. To him I beg leave to refer you, and at the same time take the liberty to recommend him to your friendship and acquaintance."

The "acquaintance and friendship" of Franklin! Who does not envy those who were privileged to enjoy them, as the young Quincy so eminently did? But hardly less might one envy the appreciation which Quincy soon won from Franklin. "His coming over," says the great Bostonian, in a letter to Quincy's father, "has been of great service to our cause, and would have been much greater if his constitution would have borne the fatigues of being more frequently in company"; while in a later letter, after the death of the young patriot, he says: "The notes of the speeches taken by your son, whose loss I shall ever deplore with you, are exceedingly valuable, as being by much the best account preserved of that day's debate."

And may I not say that if Josiah Quincy, Jr., had left no other fruit of his visit to England than his grand report of the noble speech of Lord Chatham on American Affairs, on the 20th of January, 1775, he would have entitled himself to the endless gratitude of every admirer of eloquence, and of every friend of freedom?

But I cannot conclude these introductory remarks without a more distinct reference to the speech of Quincy himself, at the Old South, a hundred years ago to-day. Only a short paragraph of that speech has ever been found in print, and I know not that any thing more of it is to be found anywhere. That paragraph contains an eloquent and noble plea for moderation. He was evidently, I think, inclined to hold back his native town from plunging precipitately into a struggle which he knew must come, but for which the country at large might not yet be ready. He loved liberty so well and so wisely, that he was reluctant, I think, to have the sacredness and the lustre of its cause in the slightest degree dimmed or tarnished

by any outbreak of irresponsible or lawless violence. Accordingly, in his masterly "Observations on the Boston Port Bill," a few months afterwards, he vindicates the town from the charges of riot and disorder. He maintains that "Boston had, as a town, cautiously and wisely conducted itself; not only without tumult, but with studied regard to established law." He alludes to the very last town-meeting before the proceeding which we commemorate, and to what he calls "the mere temporary events which took place in Boston in the matter of the tea," as having occurred "without any illegal procedure of the town"; and he challenges "the greatest enemy of the country" to "point out any one step of the town of Boston, in the progress of this matter, that was tumultuous, disorderly, and against law."

It is thus, I think, rather with the great principles of freedom which led to the destruction of the tea, than with the act itself, that his name is ever to be associated; and, in the clear, calm light of history, it will never be less honored on that account. That volunteer band of Liberty-Boys, in the disguise of Mohawks, performed their work "better than they knew,"—averting contingencies which must have caused immediate bloodshed, and accomplishing results of the greatest importance to the American cause. But Quincy was right in claiming that it was not the act of Boston, as a town; that the people, or a part of the people, took matters into their own hands on that occasion; and that, while the act was exactly what might have been expected, and had actually been predicted, under the circumstances, it was one which the truest and most ardent friends of freedom, as our associate Mr. Frothingham has justly said, "would have gladly avoided," if they could have done so without sacrificing the best hopes of their country.

But, Gentlemen, Mr. Frothingham, the Historian of all this period, is with us to-night; and I will not detain you a moment longer from the statement which, at our request, he has kindly prepared for this occasion. For, indeed, all the rest of the acts of the Tea Party, all that they did, and all the great results to which their proceedings directly and indirectly led,—are they not written in the Chronicles of the "Siege of Boston," and the "Life of Warren," and the "History of the Rise of the Republic"? Let me then call upon the author of these works without further delay.

The Hon. RICHARD FROTHINGHAM then read parts of the following paper:—

I cheerfully accept the part assigned to me in this commemoration, that of contributing a paper on the destruction of the tea in Boston on the 16th of December, 1773. In chapter ninth of the "Life and Times of Joseph Warren," I endeavored to give at considerable length the details of that important event; and in chapter eighth of the "Rise of the Republic of the United States," to assign the place which "The Tea Act," as a proximate cause, occupies in the formative process of the country. I purpose to present a commentary on salient points of this transaction. It will show from contemporary materials the light in which Loyalists and Whigs regarded it.

Successive British administrations, during the whole period of the colonies that became the United States, regarded their local institutions as a development of republicanism. The ministry of the Earl of Bute adopted a policy designed to check this development.

Massachusetts, when called upon to resist this policy, was giving such proofs of loyalty as to elicit from the royal governor in 1762 a memorable recognition. "Whatever," he said, "may be the event of the war, it must be no small satisfaction to us that this province hath contributed its full share to the support of it. Every thing that has been required of it hath been most readily complied with; and the execution of the powers committed to me, for raising the provincial troops, hath been as full and complete as the grant of them was. Never before were the regiments so easily levied, so well composed, and so early in the field, as they have been this year. The common people seemed to be animated with the spirit of the General Court, and to vie with them in their readiness to serve their king." (Journals of the House of Representatives, 1762; Message of Francis Bernard.)

The new policy included the taxation of the colonies, and an alteration of their governments. The right to tax was asserted in the Stamp Act of 1765, and the right to govern in the famous Declaratory Act of 1766. Both were embodied in the Act of 1767, imposing duties on paper, painters' colors, glass, and tea. These duties were imposed not on the ground of regulating trade, but with the view of supporting local government. Lord North, on proposing, March 5, 1770, a partial repeal of the Act of 1767, frankly said that he could not recommend a repeal of the whole act without giving up that just right which he should ever wish the mother country to possess, the right of taxing the Americans. "I am," his words were, "for retaining our right of taxing America."

The colonists resisted this policy in a spirit of loyalty to the

king. Their weapon was the non-importation scheme. This occasioned a great falling off in the trade from England. Large quantities of teas were received from Holland. The embarrassments of the East India Company were attributed to the loss of the American market. On the 2d of March, 1773, this company petitioned Parliament for a loan; also, for permission to export teas to British America free of duty. The latter request was looked upon as a wise suggestion. It was not, however, accepted. Lord North again declared that the existing tax on tea imported into America must be retained, in order to maintain the right.

On the 27th of April he submitted two resolutions in the House of Commons, proposing to allow the East India Company to export teas to the American colonies free of duty in England, but subject to the existing tax in America. These resolutions were agreed to. A bill embodying this measure received the royal assent on the 10th of May. This was the Tea Act. It was termed "An Act to allow a drawback of the duties of customs on the exportation of tea to any of His Majesty's colonies or plantations in America; to increase the deposit on Bohea tea to be sold at the East India Company's sales; and to empower the commissioners of the Treasury to grant licenses to the East India Company to export tea, duty free."*

This act "appears to have passed without opposition, nay, almost without remark." (Lord Mahon, *Hist. Eng.*, v. 319.) It elicited little, if any, conversation in England, until measures under it were adopted to export the teas. Franklin, in a letter, dated June 4, 1773, addressed to Thomas Cushing, says: "It was thought at the beginning of the session that the American duty on tea would be taken off. But now the wise scheme is, to take off so much duty here, as will make tea cheaper in America than foreigners can supply us, and to confine the duty there to keep up the exercise of the right." On the 12th of September Franklin advised Cushing that the East India Company had taken out licenses to export teas to America. Arthur Lee, in a postscript to a letter addressed to Samuel Adams, dated Oct. 13, 1773, says: "I had forgot to mention the scheme which is carrying into execution of insidiously obtaining from us the duty on tea, by the company, under an act of the last ses-

* Report submitted to the House of Lords, April 20, 1774, by a committee appointed "to inquire into the several proceedings in the colony of the Massachusetts Bay, in opposition to the sovereignty of His Majesty, in his Parliament of Great Britain, over that Province." (*Journals of the House of Lords.*) This report is in *Force's American Archives*. The Tea Act is in the "Boston Evening Post" of Oct. 25, 1773, and fills about two columns.

sion. . . . Success may lead to a thousand other artful ways of enslaving us, by what alone can effect it, our own acquiescence. The introduction of the tea ought, I think, therefore to be opposed." (Life of Arthur Lee, i. 237.)

The Boston journals of the 19th of July contained the intelligence that the act received the royal assent. Little, however, was said of this scheme in the American press—in such files of newspapers as I have examined—for several weeks. The notices of it during August are confined to reports which came in letters from England, that the East India Company were preparing to export teas under the act. One of the letters was printed in a Philadelphia paper of the 12th, in which it is stated that perhaps in a month "a cargo would be sent to Boston (subject to a duty payable in America), to be sold in that place on their account."

The Committee of Correspondence, chosen by the Town of Boston in 1772, was preparing matter for the press, distributing pamphlets, and corresponding with similar committees. On the 21st of September, 1773, it sent out the following circular, printed on a broadside. It is here printed from a copy in the Society's archives:—

Boston, September 21, 1773.

GENTLEMEN,—The State of publick Affairs undoubtedly still demands the greatest Wisdom, Vigilance, and Fortitude. Our Enemies, who are alarmed at the Union which they see is already established in this Province, and the Confederacy into which they expect the whole Continent of America will soon be drawn, for the Recovery of their violated Rights, are now aiming to perswade us of their earnest Desire that our Grievances should be redress'd, and are insinuating that, if we will waive our Claim of Rights, Relief will be readily granted to us.

We well remember how greatly the British Ministry were alarmed at the Combination of the Americans against the Importation of British Manufactures. Their Artifice was then to pretend to meet us half Way, and by this Shew of Candor and Integrity to spread Divisions among us. Upon this principle, the Duties on Painter's Colors, Oil, and Glass, were repealed. The Merchants were thereby disunited in Sentiments, the Councils of the Americans confused, and the Non-Importation Agreement (which, had it been a little longer continued, wou'd have brought our Oppressors to Terms of Reason) was entirely broken up. The Moment this was known, the Necessity of attending to our Complaints vanished.

When it is considered how much that rich and powerful Body, the East-India Company, resent the Act that was passed in the last Session of Parliament, by which their sacred Charter Rights were arbitrarily taken from them; and how much the City of London and other great Corporations are alarmed thereby, it would not seem strange if Admin-

istration should at this Time be desirous of silencing every Opposition to their Measures in general; and especially such an Opposition as this extensive Continent, when united, is able to make.

Ought we not, also, to bear in our Minds that the Time for a new Election of the House of Commons in Great Britain is drawing near? And will it not be highly pleasing to our Enemies if, by a strange Kind of Policy, recommended by some, we should lead our Friends in England to think that we are at Length brought to place a Confidence in the good Intentions of Administration, although the most ruinous Measures are still continued against repeated Petitions, and thereby should become ourselves instrumental in giving them the Aid of our Friends, for the obtaining an Election of such Members as will be agreeable to their Wishes? And if, which Heaven avert! a House of Commons determined to subvert the Liberties of America should be elected, what Oppressions may we not expect in another seven years, if through a weak Credulity, while the most arbitrary Measures are still persisted in, we should be prevail'd upon to submit our Rights, as the patriotic Farmer expresses it, "to the tender mercies of the Ministry."

We mean not to agitate the Minds of our Brethren with groundless Apprehensions, but to excite in them that Watchfulness which alone will be a Guard against a false Security, forever dangerous to our Rights and Liberties; and to entreat that the Eye of Jealousy may be still attentively fixed on the Movements of our Enemies, in Britain and America. We trust you will always communicate to us any Discoveries or just Suspicions of their sinister Designs; and, also, that you will never be wanting in encouraging that Unity and Harmony in Councils, so essentially necessary to the obtaining the great End we have in View, *the Salvation of Ourselves and Posterity from Tyranny & Bondage.*

And we have still an animating Confidence in the Supreme Disposer of Events, that he will never suffer a sensible, brave, and virtuous People to be enslaved.

We are

Your Friends and humble Servants.

Signed by the Direction of the Committee of Correspondence, for the Town of Boston.

WILLIAM COOPER, *Clerk.*

To the Committee of Correspondence for the Town of

The following is in the handwriting of William Cooper:—

S^r—There being no Committee of Correspondence in the Town of Barnstable, I am directed to transmit the foregoing to you, to be communicated to such of your Friends as you shall think proper.

Your humble Servant,

WILLIAM COOPER, *Clerk.*

In May, 1773, the Massachusetts Assembly chose a Committee of Correspondence, in compliance with the invitation of

the House of Burgesses of Virginia, of the preceding March. Only six assemblies at this date had chosen committees. Their action had been confined to the circular of the Speaker of the House of Burgesses, and to the answers of the assemblies as they adopted the measure. The threatening aspect of the times occasioned the following circular of the Massachusetts Committee. They suggested that each colony should take effectual methods to prevent the execution of the designs of the ministry respecting the teas: —

PROVINCE OF MASSACHUSETTS BAY,
BOSTON, Oct. 21, 1773.

GENTLEMEN, — The Committee of Correspondence appointed by the House of Representatives of this province have not been inattentive to the design of their institution. We have been waiting for intelligence from Great Britain, from whose injudicious councils the common grievances of the colonies have sprang; in hopes that a change in the American Department would have produced a happy change in the measures of administration; but we are sorry to say that, from the best accounts that we have obtained, the ministry have been hitherto so far from radically redressing American grievances, that even the least relaxation has not been advised, if thought of. On the contrary, the British Parliament have been prorogued without taking the least notice of the affairs of America; while they have been curtailing the charter of the East India Company in such manner and in such degree as to indicate that they are much more intent upon increasing the power and influence of the crown than securing the liberties of the subject. At the same time this province has had a very recent discovery of the unaltered resolution of the ministry to pursue their plan of arbitrary power, in the king's answer to the petitions of our Assembly against the appropriation of the revenue raised from the colonies for the purpose of rendering our Governor and Judges dependent on the crown. In His Majesty's answer, we have nothing explicit, but his resolution to support the supreme authority of the British Parliament to make laws binding on the colonies (although the petitions were supported by express declarations of the charter of the province), and his great displeasure that principles repugnant to that right were therein held forth. Such an answer to such a petition affords the strongest grounds to conclude that the ministry are as firmly resolved as ever to continue the revenue acts, and apply the tribute extorted by virtue of them from the colonies to maintain the executive powers of the several governments of America absolutely independent of their respective Legislatures; or, rather, absolutely dependent on the crown, which will, if a little while persisted in, end in absolute despotism.

Such being still the temper of the British ministry, such the disposition of the Parliament of Britain under their direction and influence, to consider themselves as the sovereign of America, is it not of the utmost importance that our vigilance should increase, that the colonies should be united in their sentiments of the measures of opposition

necessary to be taken by them; and that in whichsoever of the colonies any infringements are or shall be made on the common rights of all, that colony should have the united efforts of all for its support? This we take to be the true design of the establishment of our Committees of Correspondence.

There is one thing which appears to us to be an object worthy of the immediate attention of the colonies. Should a war take place, which is thought by many to be near at hand, America will then be viewed by administration in a light of importance to Great Britain. Her aids will be deemed necessary; her friendship therefore, perhaps, be even courted. Would it not then be the highest wisdom, in the several American Assemblies, absolutely to withhold all kind of aid in a general war, until the rights and liberties which they ought to enjoy are restored, and secured to them upon the most permanent foundation? This has always been the usage of a spirited House of Commons in Britain, and upon the best grounds; for certainly protection and security ought to be the unalterable condition, when supplies are called for.

With regard to the extent of rights which the colonies ought to insist upon, it is a subject which requires the closest attention and deliberation. And this is a strong reason why it should claim the earliest consideration of at least every committee, in order that we may be prepared when time and circumstances shall give to our claim the surest prospect of success. And when we consider how one great event has hurried on upon the back of another, such a time may come and such circumstances take place sooner than we are aware of.

There are certain rights which every colony has explicitly asserted, and we trust they will never give up. That, in particular, that they have the sole and unalienable right to give and grant their own money, and appropriate it to such purposes as they judge proper, is justly deemed to be of the last importance. But whether even this right, so essential to our freedom and happiness, can remain secure to us, while a right is claimed by the British Parliament to make laws binding upon us in all cases whatever, you will certainly consider with seriousness. It would be debasing to us, after so manly a struggle for our rights, to be contented with a mere temporary relief. We take the liberty to present you with the state of a controversy upon that subject, between the Governor of this province and the Assembly. And as the assembly of this or some other colony may possibly be called into a further consideration of it, we should think ourselves happy in a communication of such further thoughts upon it, as we are persuaded will upon a perusal occur to your minds. We are far from desiring that the connection between Great Britain and America should be broken. "*Esto perpetua*," is our ardent wish, but upon the terms only of equal liberty. If we cannot establish an agreement upon these terms, let us leave it to another and wiser generation. But it may be worth consideration that the work is more likely to be well done at a time when the ideas of liberty and its importance are strong in men's minds. There is danger that these ideas will hereafter grow faint and languid. Our posterity may be accustomed to bear the yoke; and, being inured to

servility, they may even bow the shoulder to the burden. It can never be expected that a people, however numerous, will form and execute a wise plan to perpetuate their liberty, when they have lost the spirit and feeling of it.

We cannot close without mentioning a fresh instance of the temper and design of the British ministry; and that is, in allowing the East India Company, with a view of pacifying them, to ship their teas to America. It is easy to see how aptly this scheme will serve both to destroy the trade of the colonies and increase the revenue. How necessary, then, is it that each colony should take effectual methods to prevent this measure from having its designed effects.

The foregoing letter was unanimously agreed upon by the Committee of Correspondence, and is by their order subscribed and transmitted by,

Gentlemen,

Your obedient humble servants.

P. S.—It is desired you would not make the contents of this letter public, as it will give our enemies opportunity to counteract the design of it.*

In October the public mind was thoroughly excited by the new issue. "The Boston Gazette" of October 25th contained a piece signed "Scævola," which was circulated in hand-bills in Philadelphia, and copied into the Philadelphia and New York newspapers. It was addressed "to the commissioners appointed by the East India Company for the sale of tea in America." It called on them to reject the hazardous employment to which they had been nominated. This drew forth replies from the Loyalists. "What consistency," they said in the "Massachusetts Gazette" of October 28th, "is there in making a clamor about this small branch of the revenue, whilst we silently pass over the articles of sugar, molasses, and wine, from which more than three-quarter parts of the American revenue has and always will arise?" The Whigs replied, "Boston Gazette," Nov. 1, 1773: "We clamor against the tea . . . as a commodity the British Ministry have infected with the plague." The Americans obeyed the laws designed to regulate the trade. They resisted laws designed to interfere with their local government.

The Boston journals of the 1st of November contained the proceedings of a great meeting held on the 18th of October in Philadelphia. It was occasioned by the publication of the names of the persons to whom the teas designed for that port had been consigned, — termed Tea Commissioners. The resolutions averred that the duty on tea was a tax imposed on the

* This is printed from a copy in Mass. Archives, vol. 50, 497. A portion of it was printed very inaccurately in the first volume of Bradford's History of Massachusetts, p. 277.

colonists without their consent, and tended to render assemblies useless; that the shipment by the East India Company was an attempt to enforce the tax; and that whoever countenanced the unloading, vending, or receiving the tea was an enemy to his country. This important meeting presented fairly the American side of the question. The result was a resignation of the consignees.

The names of the Boston commissioners were now (November 1) known only by general report. A public meeting was held at Liberty-tree on the 3d of November; and a legal town meeting was held on the 5th, in Faneuil Hall, with the view of procuring the resignation of their trusts. The "Boston Gazette" of November 15th has the following account of these meetings:—

"A great number of the inhabitants also of this and the neighboring towns met at Liberty-tree, and there voted that the Tea Commissioners, by neglecting to appear and resign their appointment, according to a notification said to have been sent to them the night before, had discovered themselves to be enemies of the country, and would meet with their resentment. This vote was carried to the gentlemen then at the warehouse of Mr. Richard Clarke, who was said to be one of them, by a committee who were accompanied by many of the people; and it was said to be received with such hauteur, if we may borrow the expression, as irritated to so great a degree that, though the intent was to leave the place immediately, and the people were going off, a small part of them returned to the warehouse; but they dispersed, and no damage was done. This happened on Wednesday the 3d inst. On the next day it was given out by one of the Tea Commissioners, as it had been also by several who were supposed to be their friends, that upon *proper* application made to them they would resign their appointments; upon which some gentlemen thought it best to have a meeting of the town legally assembled, which was had accordingly on Friday following, at which meeting there were at least a thousand inhabitants, perhaps in every regard as respectable as ever assembled in Faneuil Hall. And after decent applications to Richard Clarke, Esq., and son, Benjamin Faneuil, Esq., and the two sons of Governor Hutchinson, supposed to be the persons appointed to receive and sell the dutied tea, and after waiting two days in hopes that for the sake of the peace of the town they would resign their appointment, the town thought themselves necessitated to vote their respective answers unsatisfactory and daringly affrontive to them, and the meeting was dissolved.*

"During the week past the town has been quiet; no person, that we have heard of, having attempted the smallest affront to either of the Tea Commissioners."

* The meeting of the 5th adopted the resolves of the meeting held in Philadelphia on the 18th of October.

On the day this account was printed, Hutchinson wrote the following letter:—

Thomas Hutchinson to Lord Dartmouth.

Boston, Nov. 15, 1773.

MY LORD,—Your Lordship's letter, No. 11, of the 17th of August, came to my hands the last evening. His Majesty's most gracious condescension in the grant of his royal order of leave, for my absence from the Province, increases my obligations for fidelity in his service.* When I

* It is not unreasonable to suppose that Hutchinson had special reasons for exercising firmness in meeting the tea issue. He knew that his predecessor, Governor Bernard, had seriously impaired his standing at home, by a reply to a petition from the town in 1768, when the inhabitants felt aggrieved by the doings of a press gang and other acts. The following paper is evidently by an official. It is without signature, the handwriting is not like that of Governor Pownall, Lord Hillsborough, or Lord Barrington. It was probably sent to Hutchinson:—

"I have been of no small service to Governor Bernard. His public speech, and some other matters that had the appearance of giving way to the populace, had like to have done him great injury; and so much, when he would have recovered I do not know. I did not urge his tarrying at Boston, if a better place could be provided for him; but wished by all means to continue him. It is doubted much his want of spirit in conducting in these new measures. For God's sake, if he has a regard for himself, let him take care how he errs too much on the side of the popular clamor. His ceding to J. Hancock, and his answer to the town meeting, was of no service to him. Pray be as little communicative as possible about matters. Send for Judge Auchmuty, and advise with him, in any case you have occasion. I know him to be a good man. Let him know this about the governor, but nobody else. I know more than I dare say." Dated 31st July, '68.

Hutchinson also knew that his own course had been criticised. He "gave way to the populace," when he advised the removal of the British troops from Boston, on the 6th of March, 1770. This transaction elicited from Sir Francis Bernard the following letter:—

PALL MALL, April 28, 1770.

DEAR SIR,—I wrote to you yesterday a short letter to go by the packet boat, which is sent directly to Boston. I had very short notice of its going, and could write no more. And indeed now I am a little more at leisure I can say nothing certain. The consideration of the Boston business is referred to Wednesday next. Something must be done, tho' it is not easy to say what. The opposition, who affect to resist the indignity put upon Great Britain, call upon the ministry to act with spirit and upon a system, or to resign their offices as unequal to them. It is put out of all doubt that the attacking the soldiers was preconcerted, in order to oblige them to fire, and then make it necessary to quit the town, in consequence of their doing what they were forced to do. It is considered by thinking men wholly as a manœuvre to support the cause of non-importation. Lord Barrington was the only man in the House who approved of the soldiers retiring to the castle. He said that where there was no magistracy there should be no soldiers; and if they intended to have soldiers sent thero again, they should provide for a magistracy, which could not be done but by appointing a Royal Council instead of the present democatrical one. It is generally expected that General Gage will, without waiting for orders, send a reinforcement to Boston, and order the whole into the town. Every one, without exception, says it must be immediately done: those in opposition are as loud as any. Lord Shelburne told a gentleman, who reported it to me, that it was now high time for Great Britain to act with spirit. It is expected there will be a Parliamentary inquiry into the causes and authors of the disturbances at Bos-

shall be informed by your Lordship of His Majesty's determination, in consequence of the address and other proceedings of the assembly, which had not come to your knowledge at the date of your letter, and shall see the effect which it may have in the province, I shall be better able to judge than I am at present how far His Majesty's service, by which I shall govern myself, will require me to avail myself of the liberty given me to go to England. At present the spirits of the people in the town of Boston are in a great ferment. Every thing that has been in my power, without the council, I have done and continue to do for the preservation of the peace and good order of the town. If I had the aid which I think the council might give, my endeavors would be more effectual. They profess to disapprove of the tumultuous, violent proceedings of the people; but they wish to see the professed end of the people in such proceedings attained in a regular way. And, instead of joining with me in proper measures to discourage an opposition to the landing of the teas expected, one and another of the gentlemen of the greatest influence intimate that the best thing that can be done to quiet the people would be the refusal of the gentlemen to whom the teas are consigned to execute the trust; and they declare they would do it, if it was their case, and would advise all their connections to do it. Nor will they ever countenance a measure which shall tend to carry into execution an act of Parliament which lays taxes upon the colonies for the purpose of a revenue. The same principle prevails with by far the greater part of the merchants, who, though in general they declare against mobs and violence, yet they as generally wish the teas may not be imported. The persons to whom the teas are

ton for some time past, and that the subject will be thoroughly canvassed. As this will not be easily reconcilable to the common forms of Parliament, it is expected that it will be done by a commission, strengthened by an Act of Parliament and supported by proper powers. Upon the whole, this is considered as a happy event, which will be productive of good consequences which will abundantly make amends for the mischief which has been done; so that the machinations of the faction are like to fall on their own heads.

The lying legend of the "Boston Gazette," which was not believed while it remained uncontradicted, is now thoroughly exposed by subsequent publications; and the practices of the faction to fling an odium on the custom-house, by suborning an ignorant boy to swear to facts which were easily proved to be impossible, are laid open to the world. People differ much in their opinion about withdrawing the troops; but in general acquit you, as all who consider the situation of the troops dispersed over the town in separate defenceless barracks do the commanding officer. But they who don't enter into the difficulties the troops labored under can't reconcile themselves to 600 regular troops giving way to 2000 or 3000 common people, who, they say, would not have dared to attack them, if they had stood their ground: they had it as successful bully; and it may be so, but surely the event was not quite certain. However, if it is a disgrace, it may be easily retrieved, and it certainly will.

I was very desirous of getting your commission, so as to have sent it by this ship; but it was impossible. However, I have the pleasure to tell you that it has passed the king's signature. Mr. Olliver's accompanies it. I intended to have wrote to him, but have not time.

I am, &c.

The Hon'ble GOV. HUTCHINSON.¹

¹ Both these letters are copied from originals, among the letters and papers of Bernard.

consigned declare that, whilst they can be protected from violence to their persons, they will not give way to the unreasonable demands which have been made of them. I wish the vessels bound to New York may arrive before those designed to this province. Governor Tryon I know to be well disposed to do his duty, and the people there are less disposed to any violent proceedings, as I have reason to think, than they are here; and an example of peace and good order there may have its influence here.

I am, with great respect, my Lord, yours.*

On the 18th of November the "Massachusetts Gazette" (Tory) has the following paragraph: "Last evening a number of persons assembled in School Street, broke the windows, and did considerable damage by throwing large stones into the house occupied by Richard Clarke, Esq." Influential patriots promptly appeared among the rioters, and checked the outrage.

On this day (November 18) a legal town meeting was held in Faneuil Hall. John Hancock presided. The Tea Commissioners, under their signatures, gave the final answer to the demand on them to resign their appointment,—that it was out of their power to comply with the request of the town. It was signed by Richard Clarke and sons; Benjamin Faneuil, Jr., for himself and Joshua Winslow, Esq.; Elisha Hutchinson, for himself and his brother. The meeting voted that the answer was unsatisfactory.

On the 19th the Tea Commissioners, in a petition addressed to the council, asked leave "to resign themselves, and the property committed to their care, to His Excellency and their Honors, as guardians and protectors of the people." This occasioned interesting debates in the council. (Hist. Mass., vol. iii. 426-429.) On the 21st, Hutchinson, in a very long letter to a friend, related minutely the proceedings up to this date; and on the 24th wrote the following note. It does not appear to whom this was addressed:—

MILTON, Nov. 24, 1773.

DEAR SIR,—It is very necessary I should have a consultation with you upon the state of the province. I must desire you, therefore, to come out before dinner to-day; and, if you think best to take the Secretary with you, I have no objection, and could wish to have as much advice as possible.

When I saw the inhabitants of the town of Boston assembled under color of law, and heard of the open declaration that we are now in a state of nature, and that we have a right to take up arms; and when in the town meeting, as I am informed, the inhabitants were accordingly

* The letters of Hutchinson are copied from his Letter-Books in the Massachusetts Archives.

called to arms — to arms, and the call received with clapping and general applause; when a tumultuous assembly of people can from time to time attack the persons and the property of the king's subjects, and threaten death and destruction to them; and when assemblies are tolerated from night to night in the Public Town Hall, to counsel and determine upon further unlawful measures, and dark proposals and resolutions are made and agreed to there; when the infection is industriously spreading, and the neighboring towns not only join their committees with the committee of Boston, but are assembled in town meetings to approve of the doings of the town of Boston; and, above all, when upon repeated summoning of the council they put off any advice to me from time to time, and I am obliged to consent to it, because all the voices there, as far as they declare their minds, I have reason to fear, would rather confirm than discourage the people in their irregular proceedings, — under all these circumstances, I think it time to deliberate whether His Majesty's service does not call me to retire to the castle, where I may with safety to my person more freely give my sense of the criminality of these proceedings, than whilst I am in the hands of the people, some of whom, and those most active, not only in private, but in cabals, don't scruple to declare their designs against me. This is a measure which I wish to avoid as long as I can, consistently with my duty; and this more because of the consequences of it to the province, than from any inconvenience to me, though I know it will be very great, specially as after a retreat I see but little prospect of a return until I can receive advice from England. But the point to be considered is, *What am I in duty bound to do?* When this is settled, the event must be left to the great Disposer of all events. *This entre nous.*

I am, dear sir, yours affectionately.

On Sunday, November 28, the "Dartmouth," Captain Hall, containing 114 chests of the tea, arrived in the harbor. There was great excitement. The Boston Committee of Correspondence promptly invited the committees of Roxbury, Dorchester, Cambridge, and Charlestown to meet in Faneuil Hall. The following is the invitation, in the handwriting of Joseph Warren, as far as the word "country," — the rest in that of Benjamin Church: —

GENTLEMEN, — A part of the tea, shipped by the East India Company, is now arrived in this harbor, and we look upon ourselves bound to give you the earliest intimation of it, and we desire that you would favor us with your company at Faneuil Hall, at 9 o'clock this forenoon, there to give us your advice what steps are to be immediately taken in order effectually to prevent the impending evil; and we request you to urge your friends in the town to which you belong to be in readiness to exert themselves in the most resolute manner to assist this town in their efforts for saving this oppressed country. Should the business of the town prevent your punctual compliance with our request at the

hour mentioned, let us entreat you to send as many friends to our assistance at this important crisis as you can possibly spare, and to favor us with your personal attendance at the very moment after effecting the business of the day.

The great meeting of November 29th followed. Hutchinson, in a private letter of December 1, gives an account of this meeting:—

Boston, Dec. 1, 1773.

Private.

DEAR SIR,—I have given you an account of the proceedings here in respect to the tea concern, until the 21st of November. The council desired me, on one pretence or another, to adjourn the consideration of the petition of the consignees from time to time, until Monday, the 29th. The day before, one of the ships with 114 chests of tea arrived, and is below the castle.

Notifications were posted up in all parts of the town, and printed in the newspapers, requiring all persons in town or country to assemble on the ringing of the bells; and the appearance was too numerous for the hall, which caused them to adjourn to one of the meeting-houses. Nothing can be more inflammatory than the speeches and declarations made on this occasion. They soon resolved that the tea should not be landed, that no duty should be paid, and that it should be sent back to England. When the consignees heard of this heat, they determined to remove to the castle, having obtained an order from me for their reception there. The friends of old Mr. Clarke, whose constitution being hurt by the repeated attacks made upon him retired into the country, pressed his sons and the other consignees to a full compliance; but they could obtain no more than an offer to suspend the sale of the teas until the East India Company could be made acquainted with the state of affairs, and some of the consignees were averse even to this; but it was rejected at once and declared an affront, and it was resolved that nothing short of a full compliance with the orders of the people would be satisfactory.

Whilst the rabble was together in one place, I was in another not far distant, with his Majesty's council, urging them to join with me in some measure to break up this unlawful assembly, but to no purpose.

I hope the gentlemen will continue firm, and should not have the least doubt of it, if it was not for the solicitation of the friends of Mr. Clarke. If they go the lengths they threaten, I shall be obliged to retire to the castle, as I cannot otherwise make any exertions in support of the king's authority.

This meeting provided for a watch to guard the "Dartmouth," and prevent the tea being landed. Those willing to serve gave their names to the moderator. They went on board the vessel. On the next day, the duty of providing for the watch was devolved on the Committee of Correspondence. Volunteers were requested to leave their names with Edes &

Gill, at their printing-office. This guard was armed with muskets, and proceeded with military regularity. Provision was made to alarm the country by day and night, if the guard were molested. The "Dartmouth" was ordered to lay at Griffin's wharf, and, when the vessels commanded by Captains Coffin and Bruce arrived, they were ordered to be anchored near the "Dartmouth," in order that one guard might serve for all. This arrangement continued until the evening of the 16th of December.

Hutchinson wrote several letters during the first two weeks of December. The following presents his view of the situation on the day before the destruction of the tea:—

Thomas Hutchinson to Lord Dartmouth.

BOSTON, Dec. 15, 1773.

MY LORD, — In my letter No. 34 I acquainted your Lordship with the progress of the disorders in the town of Boston, as far as the 2d of this month. After the dissolution of the assembly of the people held in that town, what is called the Committee of Correspondence have met from time to time, called in committees of other towns or other persons to join with them, have kept up a military watch or guard every night to prevent the landing of any teas, and appear to be the executioners of the resolves and orders passed at the aforesaid assembly. I foresaw the dangerous tendency of these committees, and have repeatedly mentioned them to the general assembly as innovations and illegal. I have reason to think that one-half of the towns in the province have appointed them notwithstanding; but I do not find that more than four or five of those committees have as yet joined with the committee of Boston in their unwarrantable proceedings. The consignees of the tea being confined to the castle, the owner of the first ship which arrived has been the principal person applied to; and he has been sent for repeatedly by these committees, and required to comply with his promise to send his ship with the teas back to England. He has plead that his promise was made in durance, and that he promised more than was in his power to perform, as he could not obtain a clearance at the custom-house, nor a pass from the castle; and that if he should be able to get his ship out of the harbor, both ship and goods would be forfeited in every part of the king's dominions. This was not satisfactory, and yesterday morning notifications were again posted up in the town for another assembly of the people to meet in the afternoon, when they chose a person moderator who was formerly an inhabitant of Boston, but for some time past has been an inhabitant of a country town ten or fifteen miles distant. At this meeting it was determined that Mr. Rotch, the owner of the ship, should demand at the custom-house a clearance of the teas for England, which I am informed was done this day in the presence of a committee of twelve persons appointed to see it done. The collector and comptroller refused to grant it, and report

is to be made to the meeting which stands adjourned until to-morrow, to determine what is further to be done.

It is notorious that the ship cannot pass the castle without a permit from the Governor, for which a fee has been granted for more than seventy years; and Admiral Montague, upon information of a design to carry the ship out of the harbor through some other channel, has placed the vessels under his command in such manner as to prevent it.

If I could discover a disposition in any of the members of the council to give me any other advice than what they gave the first day of the meeting of this unlawful assembly, I would most willingly call them together. To cause them to be convened, and to obtain no other advice than they gave before, would tend to strengthen and confirm the people in their extravagances.

I have the honor to be, my Lord, &c.

A great meeting was held on the sixteenth day of December at the Old South. Its object was to force the owner of the "Dartmouth" to send the tea back in this ship. It began at ten o'clock in the forenoon. After transacting business, it adjourned to three o'clock in the afternoon. At half-past four a motion was made to dissolve; but it was voted to continue the meeting until six o'clock, in order to give time to hear from Francis Rotch, the owner. He had gone to Milton to get from the governor a pass for his ship. Hutchinson, in a letter addressed (December, 1773) to Israel Mauduit, gives the following narrative:—

"The owner was required first to apply to the custom-house for a clearance, and that being refused to [apply to] me for a pass, which you will easily suppose I did not grant. All this time nobody suspected they would suffer the tea to be destroyed, there being so many men of property active at their meetings, as Hancock, Phillips, Rowe, Dennie, and others, besides the selectmen and the town clerk, who was clerk of all the meetings. Adams never was in greater glory. In the afternoon of the last day of the meeting, the owner of the 'Dartmouth' came to Milton to demand or desire a pass for his vessel, after I had told him that when his vessel was regularly cleared out, and not before, he should have a pass. I asked him what he imagined the intentions of the people to be with respect to the tea. He said he had always supposed they had no other intention than forcing it back to England, and he believed they wished to have the vessel go down and be stopped by a shot from the castle, that they might say that they had done all in their power. I had heard that some persons had that day advised him to haul his ship from the wharf into the stream, and I offered him a letter to the admiral, recommending ship and goods to his protection. He said he had been so advised, but could not get hands, and should have made himself obnoxious to the people by doing it, or by applying to the admiral; that he was under no concern about his ship,—the

rage was against the tea. The speakers in the meeting kept the people together until he returned with the answer which I had given him, when Dr. Y[oung] pronounced him a good man, who had done all in his power to gratify the people, and charged them to do no hurt to his person or property; and, immediately after, the meeting was declared to be dissolved, and the wharves were surrounded with the greatest part of the same people, whilst a select number prepared for the purpose were unloading the vessels, and emptying 320 chests of tea into the dock, which was done completely in two or three hours. Nobody seriously pretends to separate the meeting in Dr. Sewall's meeting-house from the meeting at Griffin's Wharf, where the three ships lay; but they say all is to be justified. The people had done every thing in their power with the consignees and the owners of the vessels to get rid of the tea, but could not do it, and were under a necessity of destroying it, and they had better pay for it than suffer the duties on it to have been paid. This, I assure you, was said where, of all other places in the government, it ought not to have been said. Upon information of an intention to go down with the ships without a clearance, I renewed to Colonel Leslie the orders to stop all vessels without a pass, and gave notice to Admiral Montague, who disposed his ships to prevent their passing through the other channels, as Captain Hall suspected they intended they should."

The "Massachusetts Gazette" (Tory), of December 23, had this account of the destruction of the tea:—

"Just before the dissolution of the meeting, a number of brave and resolute men, dressed in the Indian manner, approached near the door of the assembly, gave the war-whoop, which rang through the house, and was answered by some in the galleries; but silence being commanded, a peaceable deportment was again enjoined till the dissolution. The Indians, as they were then called, repaired to the wharf where the ships lay that had the tea on board, and were followed by hundreds of people to see the event of the transactions of those who made so grotesque an appearance. They, the Indians, immediately repaired on board Captain Hall's ship, where they hoisted out the chests of tea, and, when upon deck, stove the chests and emptied the tea overboard. Having cleared this ship, they proceeded to Captain Bruce's, and then to Captain Coffin's brig. They applied themselves so dexterously to the destruction of this commodity that in the space of three hours they broke up 342 chests, which was the whole number in those vessels, and discharged their contents into the dock. When the tide rose, it floated the broken chests and the tea, insomuch that the surface of the water was filled therewith a considerable way from the south part of the town to Dorchester Neck, and lodged on the shores. There was the greatest care taken to prevent the tea from being purloined by the populace. One or two being detected in endeavoring to pocket a small quantity were stripped of their acquisitions and very roughly handled. It is worthy of remark that, although a considerable

quantity of goods were still remaining on board the vessels, no injury was sustained. Such attention to private property was observed, that a small padlock belonging to the captain of one of the ships being broke, another was procured and sent to him. The town was very quiet during the whole evening and the night following. Those persons who were from the country returned with a merry heart; and the next day joy appeared in almost every countenance, some on occasion of the destruction of the tea, others on account of the quietness with which it was effected. One of the Monday's papers says, that the masters and owners are well pleased that their ships are thus cleared."

In this clear and exact relation it is stated that the party went first on board the "Dartmouth." The journal of this ship is extant. It says of December 16: "This twenty-four hours rainy weather; town meeting this day. Between six and seven o'clock this evening came down to the wharf a body of about one thousand people; among them was a number dressed and whooping like Indians. They came on board the ship, and, after warning myself and the custom-house officer to get out of the way, they unlaid the hatches and went down the hold, where were eighty whole and thirty-four half chests of tea, which they hoisted upon deck, and cut the chests to pieces and hove the Tea all overboard, where it was damaged and lost." (Memoirs of Hewes, p. 260.)

After this work on the "Dartmouth," the party went to the "Eleanor," Captain Bruce, and then to the brig "Beaver," Captain Coffin. There is nothing definite that is trustworthy as to the work on these ships. I have not met with a statement of their tonnage. It probably was not heavy. The vessels, compared with the ships of to-day, were so moderate in size that a large party could not have worked in them to advantage.

On the next day Hutchinson wrote the following letter:—

Thomas Hutchinson to Lord Dartmouth.

BOSTON, 17 Dec., 1773.

MY LORD,—The owner of the ship "Dartmouth," which arrived with the first teas, having been repeatedly called upon by what are called the Committees of Correspondence to send the ships to sea, and refusing, a meeting of the people was called, and the owners required to demand a clearance from the custom-house, which was refused; and then a permit from the naval officer to pass the castle was also refused; after which he was required to apply to me for the permit, and yesterday, towards evening, came to me at Milton, and I soon satisfied him that no such permit would be granted until the vessel was regularly cleared. He returned to town after dark in the evening, and

reported to the meeting the answer I had given him. Immediately, thereupon, numbers of people cried out, "A mob! a mob!" left the house, repaired to the wharf, where three of the vessels lay aground, having on board 340 chests of tea, and in two hours' time it was wholly destroyed. The other vessel, Captain Loring, was cast ashore upon the back of Cape Cod in a storm, and I am informed the tea is landed upon the beach; and there is reason to fear what has been the fate of it. I sent expresses this morning before sunrise to summon a council to meet me at Boston, but by reason of the indisposition of three of them I could not make a quorum. I have ordered new summons this afternoon for the council to meet me at Milton to-morrow morning. What influence this violence and outrage may have I cannot determine; probably it may issue in a proclamation promising a reward for discovering the persons concerned, which has been the usual proceeding in other instances of high-handed riots. A sufficient number of people for doing the work was disguised, and these were surrounded by a vast body of people, who generally, as was commonly reported, went from this meeting, which, it is said, was more numerous than any before, and consisted of the inhabitants of divers other towns as well as Boston, but in what numbers I have not been able to ascertain. The wind coming fair, I do not expect by this vessel to be able to give your Lordship a more particular account of this unhappy affair.

I am.

Hutchinson refers, in the above letter, to a fourth ship containing teas. This arrival occasioned the following letter, sent by the Boston Committee of Correspondence to the committees of the towns of Plymouth and Sandwich:—

Boston, December 17, 1773.

GENTLEMEN,—The Committee of Correspondence for this town duly received your letter of the 14th, and note the important contents. We inform you, in great haste, that every chest of tea on board the three ships in this town was destroyed the last evening without the least injury to the vessels or any other property. Our enemies must acknowledge that these people have acted upon pure and upright principle. The people of the Cape will, we hope, behave with propriety and as becomes men resolved to serve their country.

To PLYMOUTH.

The letter to Sandwich had this addition: "We trust you will afford them your immediate assistance and advice."

It is said in the "Massachusetts Gazette," of January 3, that a vessel arrived with the goods saved out of the brig "William," Captain Loring, and was visited by a number of Indians, who made thorough search, but found no tea. On the 6th of March, 1774, the brig "Fortune," Captain Gorham,

arrived with tea on board. The request was made that it be returned. "The usual obstacles being thrown in the way, no method was left to prevent the introduction of that dutied article but the destruction of it." Persons in the disguise of Indians "stove twenty-eight and a half chests of tea, and discharged their contents into the harbor"; and "no damage was done to any other goods."

Hutchinson was conscious that, in the case of the tea, the charge could not be brought against him of having yielded to a popular demand, as in the case of Governor Bernard, in yielding to the Boston petitions in 1768, or in his own course as Lieutenant-Governor in 1770, in assenting to the removal of the British troops. He had stood firmly on the technical forms of the law. He looked confidently for the approval of his friends and of the king. Two letters, selected for their brevity, will serve to show his tone:—

Thomas Hutchinson to Francis Bernard.

Boston, Jan. 1, 1774.

DEAR SIR,—After the usurpers of government had tried every method they could think of to force the tea back to England, and all in vain, they left what they call their lawful assembly in Dr. Sewall's meeting-house, and reassembled at Griffin's Wharf, and in two or three hours destroyed three hundred and forty chests.

If there is any blame, they say it must be upon the Governor, who refused to give the ships passes at the castle, when demanded of him, which they say he ought to have done, though the ships had not cleared at the custom-house.

The destruction of the tea is an unfortunate event, and it was what everybody supposed impossible, after so many men of property had made part of the meetings, and were in danger of being liable for the value of it.

It would have given me a much more painful reflection if I had saved it by any concession to a lawless and highly criminal assembly of men to whose proceedings the loss must be consequently attributed, and the probability is that it was a part of their plan from the beginning.

I am, dear sir, your faithful humble servant.

Sir F. BERNARD.

Thomas Hutchinson to Samuel Swift.

Boston, 4 Jan., 1774.

SIR,—I am obliged to you for the favorable opinion you express in your letter of the 30th of December of my general disposition; and I think you will be satisfied of the propriety of my conduct in the partic-

ular instance you refer to, when I put you in mind that I have taken a solemn oath, as Governor, to do every thing in my power that the acts of trade may be carried into execution. Now, to have granted a pass to a vessel which I knew had not cleared at the custom-house, would have been such a direct countenancing and encouraging the violation of the acts of trade, that I believe you would have altered your opinion of me, and seen me ever after in an unfavorable light. I am sure, if I could have preserved the property that is destroyed, or could have complied with the general desire of the people, consistent with the duty which my station requires, I would most readily have done it.

I am, sir, your most humble servant,

THO. HUTCHINSON.

SAMUEL SWIFT, Esq.

Governor Hutchinson, on the eve of his sailing from Boston, in June, 1774, received the following letter from Lord Dartmouth, containing a full approval of his course : —

Lord Dartmouth to Thomas Hutchinson.

LONDON, April 9, 1774.

SIR, — I have this day received, from the hands of Mr. Clarke, your private letter of the 17th of February. After what has been said in the public letter that accompanies this, and in a private letter which you will receive at the same time from Mr. Pownall, it is impossible you can have any doubt of the light in which your conduct on the late trying occasions is seen by the king and his servants. I cannot, however, content myself without repeating to you what cannot fail to give you the strongest consolation and satisfaction, that it is His Majesty's royal intention to testify his gracious approbation of your services to all mankind by an early mark of his favor. This expectation will contribute much to alleviate the anxiety of your mind, and to support you under any difficulties you may have yet to encounter; but you will allow me to say that, to a mind like yours, there are secret sources of tranquillity that are superior to such great and encouraging considerations. The conscious sense which you possess of an upright and uniform regard to the duty of your situation, joined to a dispassionate and real concern for the welfare of the people over whom you preside, which equally appear throughout the correspondence that I have had with you, do, at this moment, if I am not deceived in my opinion of you, supply you with that steadiness and fortitude which discover themselves in your firm and temperate conduct, and which, under such support, it is not in the power of the most unreasonable prejudice, or even of the most inveterate malice, to shake or intimidate. I perceive with the utmost concern, from the state of the province which you have set before me, that there is no room to hope for the restoration of order and regular government till the sentiments of those

who see the necessity of a due acknowledgment of the authority of the supreme power of the whole empire, and the absurdity of a contrary doctrine, shall become the prevailing and ruling principle of the province. If those wise and temperate men shall have the good fortune to be able to undeceive the deluded multitude, and to bring them to a more just and sober way of thinking, I have no doubt that steps might immediately be taken that would gradually lead, not only to the re-establishment of the public tranquillity of the province, but also to the entire satisfaction of the minds of all reasonable men within it; and I, for my own private part, so entirely agree with you in the propriety of gratifying them in those points which you have marked out, and in others where it might be done without prejudice to the authority of this country, that I cannot but persuade myself that, after proper evidence of such return to a just sense of their duty, Parliament would be as ready to show them the indulgence of a reconciled and tender parent, as it is now determined to require the obedience it has a right to expect from an obstinate and refractory child.

I am, sir, your most obedient, humble servant,

DARTMOUTH.

This letter, marked private, was printed by a grandson of Governor Hutchinson, the Rev. John Hutchinson, in 1828, in the preface to the third volume of his *History of Massachusetts*. The manuscript was supplied by the then Earl of Dartmouth. In addition, the king assured Hutchinson, in an interview, July 1, 1774, that his conduct had been universally approved by all parties in England (*Life and Times of Joseph Warren*, 327). This was followed by a tender of a baronetcy, which Hutchinson declined.

The deed met with warm approval by the Whigs throughout the colonies. It was not the sanction, however, of an act done in the spirit of destruction to property. "A riot," it has been said, "in general very quickly loses its original character, whatever that may have been, and, let it have commenced how it may, becomes nothing but a work of confusion, outrage, and spoliation. Law and order once thrown down, numbers ready to profit by the occasion crowd from every quarter to help trample upon them; and from this moment the grand object is merely to aggravate and spread the uproar, consternation, and destruction, and, if possible, to tear society, as it were, in pieces, that brute strength may carry all before it." (*Sketches of Popular Tumults*, p. 24.) All the evidence is to the point that there was very little confusion. The act does not supply a single feature of a riot. The destroyers of three hundred chests of tea replaced a broken padlock. The measure was undoubtedly determined upon by the committees of correspondence of Boston and the neighboring towns, in case

the teas could not be sent back; and it was executed under their direction. "It was well known that the throwing of the tea into the river did not originate with the persons who were the immediate instruments of that act of violence" (Ramsay, in 1789, *American Revolution*, i. 100). In a letter to Arthur Lee, Nov. 9, 1773, printed in the *Life of Lee*, Samuel Adams says: "One cannot foresee events; but, from all the observation I am able to make, my next letter will not be upon a trifling subject." Undoubtedly, at this date, an exigency that might call for bold action was contemplated. The duty of meeting it worthily was not left to a sudden impulse. There was too much at stake for this. It was carefully provided for by the selection of men who could be relied on. But there is not a single allusion to the resolute band until the war-whoop at the Old South.

The party went from a room in the rear of the printing-office of Edes & Gill, where the persons left their names who composed the volunteer watch. They were "chiefly masters of vessels and ship-builders from the north end of the town, about seventeen, though judged to be many more, as they run along across Fort Hill dressed as Indians" (Gordon). They were "clothed in blankets, with heads muffled and copper-colored countenances, being each armed with a hatchet or axe and pair of pistols, their jargon unintelligible to all but themselves" (Andrews). The party was probably larger than Gordon states it, though it is doubtful whether more than seventeen have been identified. The size of the vessels and the nature of the work are against the supposition that the party was large. One of them says, "Our number was between twenty-eight and thirty."

No contemporary list of the actors has appeared. In 1819 Hezekiah Niles asked John Adams to supply the names. In reply, Adams, May 10, says (*Niles's Register*, vol. xvi. 226): "I know not the name of one man concerned in it. You may depend upon it they were no ordinary Mohawks. The profound secrecy in which they have held their names, and the total abstinence of plunder, are proofs of the characters of the men." This letter elicited much comment. It was then said in the "*Boston Daily Advertiser*": "The contrivers of this measure, and those who carried it into effect, will never be known. Some few persons have been mentioned as being among the disguised; but there are many and obvious reasons why secrecy then, and concealment since, were necessary." (*Niles's Principles and Acts of the Revolution*, p. 486.)

Snow says in his *History of Boston* (p. 295), printed in

1825, that the names have never been made public. "Three or four were yet living."

In 1835 a small volume was published by B. B. Thatcher, entitled "Traits of the Tea Party; being a Memoir of George T. Hewes, one of the last of its survivors," &c. This contains a list of the party, "furnished by an aged Bostonian,"—of those "more or less actively engaged in or present at the destruction of the tea." It may be correct as to those "present at" the destruction, but it is certainly not trustworthy as to those who did the work.

In a letter, written in 1836, by Peter Edes, a son of Benjamin Edes, it is stated that a list was in possession of Benjamin Edes; but it has not been produced (Proceedings of Mass. Hist. Soc., 1771-73, p. 175). Several of the party have been identified, but the claims presented for others are doubtful.

There are contemporary vindications of the destruction of the tea; among others, by Josiah Quincy, Jr., and John Adams. Samuel Adams, in a letter I have not seen referred to, dated Dec. 28, 1773, says: "It is a great consolation to find that our friends in the country approve of the conduct of this and the neighboring towns at the late meetings. We are assured of this by the letters almost daily received. I think we have put our enemies in the wrong; and they must, in the judgment of rational men, be answerable for the destruction of the tea, which their own obstinacy had rendered necessary." (MSS.) Ramsay may be said to have given the judgment of history; namely, that if the American position was right in relation to taxation, the destruction of the tea was warranted by the great law of self-preservation; "for it was not possible for them by any other means, within the compass of probability, to discharge the duty they owed to their country" (Ramsay's Hist. American Revolution, vol. i. 121).

This was the view taken by the popular leaders. The following is an extract "from a letter of a gentleman in Boston to his correspondent at London, relative to the late destruction of the tea." It appeared in the "London Chronicle," of March 22, 1774. It is also in the "Edinburgh Advertiser," of March 29, 1774:—

"It is an act of justice due to the people to mention what they say in justification of themselves. They say their rights and liberties were at stake; that Parliament has no constitutional authority to tax them; that since the first parliamentary taxation they have, by their representatives, repeatedly petitioned and remonstrated against it; that their petitions are disregarded; that the act made at the last session of Parliament, empowering the East India Company to ship their teas

to America, demonstrates that the ministry do, and intend to persevere in their taxation system; that their submission to the said act would be the establishing and perpetuating that system, and riveting eternal shackles on themselves and their posterity; that they did all in their power to rid themselves of those shackles with the least detriment to the India Company; that for this purpose they urged, and repeatedly urged, the consignees to send back the tea, but to no effect; that when the consignees denied their assistance, they endeavored, by the owner of one of the tea-ships, to procure from the custom-house and from the government the necessary papers for exporting it; that these being refused, and every block thrown in the way of sending it back, the end of their meeting, viz., the preservation of the tea, could not be effected; that these proceedings of theirs were no assumption of government, but flowed from the great law of nature, self-preservation; and that, notwithstanding any representations to the contrary, they are faithful and loyal subjects of His Majesty, of which, in the late wars, they have given the highest evidence, by co-operating with His late Majesty's British subjects in distressing and subduing his and the nation's enemies; and this, not by compulsion, not by taxation acts of Parliament, but freely, and so much beyond the proportion and ability of this province, that Parliament, by repeated grants, refunded a part of the expense."

There is no good ground to regard the earnest professions of loyalty in this letter as insincere. Similar assurances were sent to Lord Dartmouth, in a letter written by Isaac Royal, of Medford, a Loyalist of character, wealth, and high social and political position. It may be put against the whole line of accusation brought against the citizens of Boston and of Massachusetts, of being animated by a spirit of sedition or rebellion. The popular leaders levelled the "bold stroke" not against the king or the sovereignty, but against the administration.

Isaac Royal to Lord Dartmouth.

MEDFORD, NEW ENGLAND, Jan'y 18, 1774.

MY LORD,—The Melancholy and distress'd circumstances these Colonies, but especially this Province, are now reduc'd to with respect to their Public Concerns, very much engage my attention, very much distress my Heart, and fill me with very great anxiety of Mind; not without the most alarming Fears for the consequences, which, I cannot but think, may be greatly injurious, if not fatal, to both Great Britain and America, occasion'd by the unhappy Disputes between them. A high regard and esteem for the Mother Country, Join'd to a natural affection and attachment to my own, induces me with ardency to wish their mutual welfare, and impress me to endeavor their true Interest, Peace, and Happiness. This, I humbly trust, in your generous Mind, will apologize for my presuming to address your Lordship, to whom I

have not the Honor of being personally known, tho' I am no stranger to the amiable Character you sustain, having often heard that great and good Man, my worthy and intimate Friend, the Rev'd M^r. Whitefield, express in highest Terms his exalted opinion of you, and warm Respect and Esteem for you. He had a very sincere Love for these Colonies; and used to observe that he knew your Lordship had a very great regard for our Civil and Religious Interests, which induc'd him frequently to wish that you might be appointed Secretary of State for the American Department: and when, my Lord, I heard of your Appointment to that important Office, the Conversation of my Dear Friend occur'd to my Mind, and, with a Joy unfelt before, I could not but congratulate myself and my Country upon an Event so repleat with the most pleasing Prospects of great advantage to America and the whole British Empire; in consequence thereof, as I cannot but think, the Interests—nay, the very Being—of Britain and her Colonies, are, in the nature of our Constitution, so connected as not to admit of a Separation without very injuriously affecting, if not entirely ruining, both. I beg leave to observe to your Lordship that I have been of His Majesty's Council and House of Representatives here Thirty years without intermission, the last Twenty of which has been at the Council Board; and that I firmly believe this People to be as truly loyal to his Majesty, as cordially affected to the illustrious House of Hanover, and as ardently desirous that there may never be wanting one of that August Family to sway the British Sceptre, until Time shall be no more, as any of his Subjects, in all his extended Dominions. (Please to observe, Sir, however, that I don't pretend to Justify any Disturbances which have [occurred], altho' they were not more or greater, perhaps, than often occur in large and free Governments), but, Sir, while this People in general fear God, and thus truly honour and are attacht to their King and his Royall House, they are at the same Time Tender—very feelingly Tender—and Zealously tenacious of their inestimable Charter Rights and Privileges, which they apprehend (and your Lordship will Judge whether their apprehensions are well founded or not) have been greatly infring'd and broken in upon through the Machinations and Misrepresentations to the former Ministry from Persons on this side the Atlantic, who, from an Insatiable Thirst after Power and Gain, are far from seeking the welfare of Great Britain and her Colonies,—the aggrandising and enriching themselves seeming to be their grand Ultimatum; and doubtless these Persons have also, from the same selfish views, made similar Misrepresentations to the present Ministry in general, and to Lord North in particular (who, from the Character I have heard of him from my Son-in-Law, Will^m Pepperrell, Esq^r, who had the honor more than once of being introduc'd into his Lordship's Company), I esteem as a Candid, Worthy, and valuable Nobleman. To these Misrepresentations is also, in a very great measure, owing the Difficulties and Distresses the Colonies now labor under. An Act for the sole purpose of raising a Revenue, whereby our Money is taken from us not only without but against our Consent, together with the late Manœuvre to enforce and support the

Act, by impowering the Hon^{ble}. East India Company to export their Tea to America, subjected to a Duty payable in America, have, my Lord, among many other grievances complain'd of, given the Alarm, and caused that great uneasiness which now so universally prevails through the Colonies, and which, if not speedily and amicably adjusted, it is to be feared, will be productive of the most fatal Consequences. This Province, Sir, has always been foremost, even beyond its ability (and, notwithstanding the present unhappy disputes, would perhaps be so again if there should be the like occasion for it), in promoting the Honor of their King and Nation. Witness their twice saving Nova Scotia from falling into French Hands, the reduction of Louisbourg in 1745, under that valuable and much esteemed General, Sir William Pepperrell, Bart, and their many other expensive and heroic Expeditions against the common Enemy in the Wars that subsisted when those worthy Gentlemen, Shirley and Pownall, were successively Governors here. Under their mild and prudent Administration this People were happy among themselves, and highly in favor with the King and his Ministers; and it is the general opinion of all prudent and Judicious Persons that, if the Revenue Act should be repeal'd, and affairs put in the same situation they were when that Gentleman fill'd the chief seat of Government, or he return'd (or some other prudent, discreet Gentleman of like Disposition appointed) our Governor, the former most agreeable and much to be desir'd Harmony would once more be restor'd and subsist between us and our Mother Country. And may I, my Lord, be permitted to say that I firmly trust your Lordship is raised up and appointed in Providence to accomplish this so grand an Event, and that the Time is hastening when the Babes who are yet to be born will arise and pronounce Lord Dartmouth blessed for saving Great Britain and her Colonies from the alarming and much to be dreaded consequences of the Intestine Broils and Divisions which now so unhappily subsist between them; and from a full Perswasion of your Lordship's [feelings] towards this distres'd Country, to effect this happy reunion, you will exert your eminent Powers and enlarg'd influence for its relief, consistent with the Interest of the whole Community collectively. When a People are greatly and universally agitated, I believe your Lordship will agree (consistent, however, with the dignity of Government) that Lenitive, Pacific measures, rather than warm and coercive ones, are most likely to procure and restore that solid and desirable Harmony and tranquillity which is so essential to the mutual Happiness of a King and his Subjects. I am not govern'd, Sir, by any Party. I am conscious that in all Public affairs I have made the Honor of my King, and the real Interests and Peace of my Country, the ultimate end of all my Transactions. I am so to live in this World as that I may be happy in another; and no Man more ardently wishes and earnestly Prays to the God of Peace for the Restoration of those happy Times which formerly subsisted between us and our Mother Country than I do; for, Sir, while these Animosities continue, our Implacable French and Spanish Enemies doubtless do and will triumph in secret; and God knows whether the Machinations

of those restless Foes are not at work behind the Curtain in sowing and fomenting Jealousies and Divisions between us. But be that as it may, my Lord, I revere my King, I regard his Friends, and utterly detest all his and my Country's Enemies, whether Foreign or Domestic. And now, my Lord, after wishing you all Health and Happiness, and that you long be continued an Ornament and great Blessing to the whole British Empire; and that late, very late, you may be receiv'd, from transacting in the great, weighty, and momentous affairs of an Earthly, to the Sublime Serene Joys, Employments, and Felicities of an Heavenly Kingdom; and humbly craving your excuse for giving you the trouble of this long Epistle, which, as an Individual Member of Society, I have taken the liberty of addressing to you in your private Capacity only, Permit me the Honor, altho' personally unknown, of subscribing myself, with all possible Deference and Respect,

Your Lordship's Most Obed^t H^ble Serv^t

I. ROYALL.*

To the Right Honorable Lord DARTMOUTH.

Considerations like those presented in the above wise letters, however just they appear now, proved of no account. The destruction of the tea was judged an act of rebellion. The first of the penal measures devised to vindicate the national honor was the Boston Port Act. On receiving it, the House of Representatives of Massachusetts, May 26, 1774, passed the following vote, 115 yeas, 8 nays:—

"*Ordered*, That the Committee of Correspondence be, and they are hereby, directed to write to the Committees of Correspondence of all the British Colonies on this continent, enclosing a copy of an unprecedented act of the British Parliament for shutting up the port of Boston and otherwise punishing the inhabitants of said town; and desire their immediate attention to an act designed to suppress the spirit of liberty in America; and that five be a quorum of such committee for the future."

The committee communicated the Port Act to the colonies in the following circular:—

PROVINCE OF THE MASSACHUSETTS BAY, May 28, 1774.

GENTLEMEN,—By order of the House of Representatives of this province, we enclose you an Act, passed in the late session of the British Parliament, entitled "An Act to discontinue, in such manner and for such time as are therein mentioned, the landing and discharging, lading or shipping of goods, wares, and merchandise, at the town

* This letter is printed from the original in the archives of the Society. Miscellaneous Papers, 1632 to 1795.

and within the harbor of Boston, in the Province of Massachusetts Bay, in North America."

We think the archives of Constantinople might be in vain searched for a parallel. To reason upon such an act would be idleness. You will doubtless judge every British American colony deeply concerned in it, and contemplate and determine upon it accordingly.

We are, with great regard, your friends and fellow-countrymen,

THOMAS CUSHING.

SAMUEL ADAMS.

JAMES WARREN.

JOSEPH HAWLEY.

THOMAS GARDINER.

WM. HEATH.

The monument erected on Beacon Hill, in Boston, to commemorate the train of events which led to the American Revolution, bore these inscriptions: "Tea Act passed 1773. Tea destroyed in Boston, December 16. Port of Boston shut and guarded, June 1, 1774." The tea act expressed the determination of the sovereignty to establish a principle fatal to the institutions of a free people. The destruction of the tea, resorted to when all other measures of resisting the execution of the tea act failed, was dictated by the primal law of self-preservation. This deed brought upon Massachusetts the well-known series of penal measures inaugurated by the Boston Port Act. They evoked the fraternity which united the people of thirteen colonies into an indissoluble union. The closer these truly great events are studied, the more there will be found in them to illustrate the formative process of our country.

The President next called upon Mr. WATERSTON, who stated that he had received communications from several members compelled to be absent. Among these were letters from our honored associates, Henry W. Longfellow and William C. Bryant. The communication from the latter he would venture to read:—

ROSLYN, LONG ISLAND,
Dec. 12, 1873.

MY DEAR SIR,—I thank you for your very kind invitation to meet at your house with the members of the Massachusetts Historical Society, on the anniversary of the Boston Tea Party. For various reasons I cannot accept it, although it would give me pleasure to be present on an occasion like this, which assembles the members of a society comprehending so many eminent men and possessing so rich a field for its labors. It would be interesting, with them, to look back upon what has happened since the event which will then be commem-

orated, and to observe how the mighty changes in the fortune of nations, which, while we look only on the present and the future, seem to unroll themselves slowly before our eyes, like a moving panorama, lie crowded together in the past. Such a review would naturally carry the contemplation beyond the limits of your State and into fields beyond the province of your Society, save in occasional glimpses showing the agency of the sons of Massachusetts in new commonwealths founded, peopled, and made great; fierce and bloody wars waged, victories gained, and the Republic saved; the discoveries of science turned to practical account, in a manner which fills the world with wonder; mountains pierced, and arid deserts traversed by iron tracks; the East married to the West, and America made the neighbor of China; great men rising and filling the world with their fame, and passing away to take their quiet niche in history; eloquent voices raised, and not in vain, for God and liberty, and then hushed in death; mighty wrongs committed, redressed, and punished; new wrongs committed and yet waiting their reward; and, all the while, rumors of still mightier changes reaching us from the Old World,—rumors of ancient despotisms overthrown, new empires formed, and young republics making the experiment of existence in the seat of old monarchies. History will have much to do in recording the events of the century which ends on the sixteenth of this month.

With kind regards, I am, dear sir,

Very cordially yours,

W. C. BRYANT.

REV. R. C. WATERSTON.

In connection with the historical paper to which we have just listened from our associate, Mr. Frothingham, letters written by Governor Hutchinson, to this day unpublished, have been read.

I have, said Mr. Waterston, in my possession, two folio volumes, being the works of Aristotle, printed M.D.C.V., which volumes formed part of the library of Governor Hutchinson, and may have been by his side on that memorable day when the tea was thrown into the harbor. The present moment seems a fitting occasion on which to present these volumes to the Historical Society, and their acceptance is herewith respectfully requested.

We are surrounded, Mr. President and Gentlemen of the Society, with interesting memorials of that period in the history of the country which we have met to celebrate. By a special vote of the Society, precious historical documents and mementos are here for our investigation.

Yonder are files of the newspapers of that time, from 1755 to 1776. Discolored and stained as they are, they yet bring back to us, as nothing else can, the minutest incidents as they transpired. The "Boston Gazette," the "Chronicle," the "News-

Letter," are all here. Not reprints, but the veritable papers which came before the excited public, week after week (such a thing as a daily paper was a luxury unknown through the whole province), with no overwhelming superfluity as now. How anxiously were these scanty sheets looked for, and how eagerly were they read! The call for town meetings; the reports of resolves and proceedings; private and public advertisements; domestic and foreign news; pointed paragraphs and pithy suggestions; calm statements and spirited appeals,—the exact impress of the time is faithfully portrayed, not as modified by after events, but as they actually transpired day by day. We see every shade of advancing feeling, the whole progress and development of ideas, and the very motives and purposes that swayed the public mind. Paragraphs and advertisements and communications abound in these publications which it would be interesting at this time to read; but they can only be referred to at present as a whole, and left for private and more deliberate investigation.

In addition to the volumes of papers belonging to the Society, there are others which individuals have furnished for this occasion,—the "Cumberland Gazette," the "New Hampshire Freeman's Journal," the "Columbian Centinel," and the "Newport Mercury," taking us directly back to the passing events of 1773. Passages have been marked which would have been appropriate reading for this occasion, but they must for the present moment be passed by.

There is also a series of papers published in Philadelphia by Benjamin Franklin, together with pamphlets bearing his impress; also a rare volume published in Boston, containing pamphlets printed in 1773, giving a detailed recital of facts connected with the destruction of the tea, and a full expression of opinions.

We have here, among other memorials, two sealed bottles containing tea gathered on the Dorchester shore Dec. 17, 1773, the morning after the three hundred and forty-two chests were emptied into the sea. In this connection, I may call attention to a daguerreotype of Captain Henry Purkitt, the last of the survivors of the tea-party, who died March 3, 1846, aged 91, together with a whole-length silhouette taken from life; both likenesses suggesting a manly and commanding character. With these is a small silver corkscrew which Captain Purkitt had in his pocket while he assisted in throwing over the tea. These mementos have been sent by his family for this occasion.

I have also received a letter from my friend, Mr. John J. May, of this city, identifying his relative, Colonel John May,

as one connected with the destruction of the tea. Colonel May was of the fifth generation from John, who came from Mayfield, Sussex, England, and landed at Plymouth in 1640. Colonel May was born in 1748. He was married in 1773. On the evening of December 16, three taps were heard at his window, when he suddenly went out and did not return until morning. His wife never doubted where he was, though upon that point he maintained a life-long silence. It was well understood by his friends that he took active part at that time. The traditions in the family all go to establish the fact. "The probabilities," says Mr. May, in the note from which I read, "are confirmed by a knowledge of his character and habits. He was a man of enterprise and great energy, — muscular; bold, and fond of adventure. An ardent patriot, he engaged early in military service in his country's cause. Living near the Liberty Tree and taking interest in the popular meetings, he could not fail to know of the work in progress, and, knowing of it, was morally certain to take a part. He was also well known as a man of high principles, integrity and honor; — a hater of shams. It seems fairly to be inferred that such a man would not have allowed imputations, either favorable or unfavorable, to attach to him, unless held to silence by an obligation which he could not honorably break; and it is certain that he went to his grave knowing that his friends believed him to have been of the number of those who did the work in question."

Governor Bowdoin, in a letter to General Washington, dated 1788, speaks of Colonel May as having distinguished himself in the service of the United States under the Count de Rochambeau. In 1788 and 1789, he went upon an expedition to the "Ohio Country," then wild and unsettled. During this expedition he kept a journal, which has remained in manuscript until the present year, when, with a sketch of his life, accompanied by letters, it has been printed by the Philosophical and Historical Society of Ohio. A copy of this, from Mr. John J. May, I herewith present to the Society.

Among the authentic relics before us is a China punch-bowl belonging to the Society, which is accompanied by a letter from the late Peter Edes, of Boston, addressed to his grandson, dated February, 1836. It gives so graphic a picture of the transactions of that day that the whole scene seems brought vividly before one. I will read a few lines: —

"You request of me a particular account of the 'tea-party,' so called. . . . What little I know I give you, as far as I can remember. I recollect perfectly well that, in the afternoon preceding the evening of the destruction of the tea, a number

of gentlemen met in the parlor of my father's house,—how many I cannot say. . . . I was not admitted into their presence. . . . They remained in the house till dark, I suppose to disguise themselves like Indians, when they left the house and proceeded to the wharves where the vessels lay. Before they reached there, they were joined by hundreds. After they left the room I went into it, but my father was not there. I therefore thought I would take a walk to the wharves as a spectator, where was collected, I may say, as many as two thousand persons. The Indians worked smartly. Some were in the hold immediately after the hatches were broken open, fixing the ropes to the tea-chests; others were hauling up the chests, and others stood ready with their hatchets to cut off the bindings of the chests and cast them overboard. I remained on the wharf till I was tired, and, fearing some disturbance might occur, went home, leaving the Indians working like good industrious fellows. This is all I know about it."

Among the volumes before us, printed at that period and throwing light upon the spirit of the times, is the oration of John Hancock, delivered March 5th, 1774, before the freeholders and other inhabitants of the town of Boston, in the Old South Meeting-house, less than eighty days after the destruction of the tea. The copy, in my hand, was printed in Queen Street by Messrs. Edes and Gill, and is dated the same year. Of this address, John Adams, in his diary of that date, says: "Heard the oration pronounced by Colonel Hancock,—an elegant, pathetic, and spirited performance."

"We have all," exclaimed Hancock "one common cause: let it, therefore, be our only contest, who shall most contribute to the security of the liberties of America" (p. 15).

Speaking of the destruction of the tea, an event dating less than three months before:—

"Great expectations were also formed from the artful scheme of allowing the East India Company to export tea to America upon their own account. This certainly, had it succeeded, would have effected the purpose of the contrivers, and gratified the most sanguine wishes of our adversaries. We soon should have found our trade in the hands of foreigners, and taxes imposed on every thing which we consumed; nor would it have been strange if, in a few years, a company in London should have purchased an exclusive right of trading to America. But their plot was soon discovered" (p. 16).

"The people," he adds, "soon were aware of the poison which, with so much craft and subtlety, had been concealed. Loss and disgrace ensued; and perhaps this long-concerted

masterpiece of policy may issue in the total disuse of TEA in this country, which will eventually be the saving of the lives and the estates of thousands" (p. 17).

This imaginary supposition is amusingly in contrast with existing facts. But Hancock proceeds: "While we rejoice that the adversary has not hitherto prevailed against us, let us by no means put off the harness. Restless malice and disappointed ambition will still suggest new measures to our inveterate enemies. Therefore, let us be ready to take the field whenever danger calls; let us be united and strengthen the hands of each other, by promoting a general union among us."

The words which follow are worthy of notice, as proof of that united feeling which existed among the colonies; and especially striking is the emphatic call which is here publicly made for a general Congress:—

"Much has been done," he says, "by the Committees of Correspondence for this and the other towns of this province towards uniting the inhabitants; let them still go on and prosper. Much has been done by the Committees of Correspondence for the Houses of Assembly in this and our sister colonies, for uniting the inhabitants of the whole Continent for the security of their common interest. May success ever attend their generous endeavors. But permit me here to suggest a general Congress of Deputies from the several Houses of Assembly on the Continent, as the most effectual method of establishing such a Union as the present posture of our affairs requires. At such a Congress, a firm foundation may be laid for the security of our Rights and Liberties" (p. 17).

"Remember," he exclaimed, "from whom you sprang. . . . I conjure you by all that is dear, by all that is honorable, by all that is sacred, not only that ye pray, but that you act. That, if necessary, ye fight and even die for the prosperity of our Jerusalem" (p. 18).

John Adams, in his journal that day, thus speaks of Hancock's address in regard to its delivery: "The composition, pronunciation, action, exceeded the expectations of everybody. They exceeded even mine, which were very considerable" (*Life of John Adams*, vol. ii. p. 332).

Several autograph papers by Hancock are on the table before us. One written in 1771 as a selectman of Boston; one a business note of exchange, in December of that year; one a letter in 1776; another in Marine Committee, Philadelphia, 1777; and another as Governor of the Commonwealth of Massachusetts in 1785. What remarkable changes in the condition of affairs in the country do these dates suggest!

The excitement against the tax upon tea was no sudden outbreak. It is well known that for years taxation without representation had been a subject of constant discussion and of deep public feeling. In 1765, when the Stamp Act passed and received the royal assent, the protests were emphatic, public indignation kindled into a flame. It was an encroachment of arbitrary power, another instance of British aggression which was absolutely odious to the mass of the people. So violent was the opposition, that the act was publicly repealed the year after, but with an ill grace on the part of George the Third, who bitterly stigmatized it as "the Fatal Compliance," which "planted thorns in his pillow," — vowing petulantly that he would not yield his authority. The colonies at this triumph gave every demonstration of joy, and for a time were appeased. But soon appeared the same aggressive principle in the so-called Townsend Acts, with grievance following upon grievance, including in 1768 the introduction of armed force and the billeting of British troops; so that the flames were perpetually fanned.

In corroboration of these familiar facts, I have received within a few days from Newport, Rhode Island, an original document, signed by James Otis and others, bearing date Boston, June 25th, 1764, being a letter prepared in Massachusetts by order of the General Court, sent to the other colonies both as an expression of good-will and to solicit union and co-operation. This is one of the earliest propositions, if it is not indeed the very first public measure to *bring all the American assemblies into joint action*.

Our honored associate, Richard Frothingham, in his admirable work on the "Rise of the Republic," quotes from the journal of the House of Representatives the Resolve that preceded this letter: "June 13, 1764. Ordered that Mr. Otis, Mr. Thacher, Mr. Cushing, Captain Sheafe, and Mr. Gray be a committee, in the recess of the Court, to write to the other governments to acquaint them with the Instructions this day voted. . . . To prevent a Stamp Act or any other impositions and taxes upon this and the other American provinces; and that the said committee, in the name and behalf of this House, desire the several assemblies on this continent to join with them in the same measure" (Rise of the Republic, p. 169).

This order passed June 13; twelve days after, the following official letter was sent: —

Boston, June 25th, 1764.

The House of Representatives of his Majesty's Province of the Massachusetts Bay, at the session of the General Assembly in May

last, being informed of the late Act of Parliament relating to the Sugar Trade with foreign colonies, and the resolutions of the House of Commons relating to stamp Duties and other Taxes proposed to be laid on the British colonies, were humbly of opinion, that these measures have a tendency to deprive the colonists of some of their most essential rights as British subjects and as men, particularly the right of assessing their own taxes, and being free from any impositions but such as they consent to by themselves, or representatives.

Then follows a remonstrance, together with solicitations that the act may be repealed, and a call for the prevention of further duties and taxes on the colonies.

For this purpose (it adds) we are desirous of the united assistance of the several colonies in a petition against such formidable attacks upon what we conceive to be the inseparable rights of British subjects; and that the agents of the several colonies may be directed by the representatives of the people on the continent of North America to unite in the most serious Remonstrance against measures so destructive of the liberty, the commerce, and property of the colonists, and in their tendency so pernicious to the real interest of Great Britain.

The House have done us the honor to appoint us a committee, in the recess of the General Court, to inform the several Houses of Representatives of this continent of their desires; and we do ourselves the honor to subscribe ourselves

Your most humble servants,

JAMES OTIS.
THOMAS CUSHING.
OXENBRIDGE THACHER.
THOMAS GRAY.
EDWARD SHEAFE.

Thus, by this official communication sent from Boston in June, 1764, and now for the first time, a century after, brought back again to this place, — we see that nearly ten years before the destruction of the tea the people felt themselves deeply aggrieved, and were taking the most active measures to free themselves by peaceful and lawful means from a galling wrong.

Some oppressive acts after this general and earnest Remonstrance were reluctantly withdrawn, others were allowed to slumber. One can see how the old evil, bursting suddenly upon them in a new form, should send a startling shudder through the land and lead to most decisive and spirited action.

"The town," said Hutchinson, "is as furious as in the time of the Stamp Act." "The flame," said Mrs. Adams, "is

1773 Dec. 17th The Court Night 3 Congress of Boston
The wing crumpled into the sea! This storm
ing a Mass of war sails. —

This is the most insignificant movement of all. —
There is a Signet & a signet, a solemnity, in this
last effort of the Orient, that I greatly admire.
The Angel should never fly without doing some
thing to be remembered — something not all that
is dying. — This distinction of the Signet held
it so clearly, so firm, so happy and in flexible, and
it must have a so important consequence, and so
lasting, that I cannot but wonder it as an episode
in History. —

This however is but an attack upon Turkey, —
another similar Election of popular Power may
produce the destruction of Asia. — Many Nations
with, that as many dead Congresses were flung
in the Harbour, as there are Ghosts of Asia! —
a much life & number of lives however would be
more, the Corps of all our Colonization —

The millions of America with which Haldane, on the
Governor, the Congress of the Sea and the officers of
Coastguard, have stood and looked upon the
of the Ashes, and their struggle to get the Ashes
Landing and at last a destruction of it, is a
This hard to believe & a mass of trouble and death.

What mischief will the Ministry do, in
sums of this? — with respect to the sea, the
want of it will be much less? how? by quartering
troops upon us? — by smothering our Charter, by
laying on more duties? by restraining ourselves
by sacrifice of individuals, or laws. —

The Question is whether a destruction of this sea
was necessary? I apprehend it was absolutely and
in all possible ways. — The sea and land is both, the sea
Admiral and Collector & Congresses and not suffer it. —
It was in their power to have saved it. — but in no
other — It is not yet by the battle, & more of war.

There were no other alternatives but to destroy
it or let it be landed. — To let it be landed would
be going in the principle of taxation of Public
money, authority, against which Congress has
struggled for 10 years, it was trying all our labor
for 10 years and achieving nothing — to purchase
power to Egyptian Egypt, to purchase
religions, to purchase and Congress to the public
and opposition to Party and Society. —

But it will be said it might have been left in the
Case of a Committee of 100, or in Court with
Of this many objections may be made.

kindled; and, like lightning, it catches from soul to soul." Not only the town, but the whole surrounding country,—every village in the province and every colony on the continent,—participated in this excitement. People for twenty miles around were flocking to Faneuil Hall, and thence to the Old South Church. The papers of that day are filled with the accounts. One knows that Paul Revere and Joseph Warren and John Hancock and Samuel Adams were actively engaged. It is interesting to recall the ages of the leading patriots at that time: Samuel Adams was 51; John Adams, 38; Paul Revere, 38; John Hancock, 36; Joseph Warren, 32; and Josiah Quincy, 29. All are familiar with the leading events: the arrival of the ships; the circumstances preceding this event, and what followed; the thronged meetings at Faneuil Hall and the Old South; the interviews, the resolves, and the closing results.

I have in my hand the original diary of John Adams, placed under our care for this anniversary by his grandson, the Hon. Charles Francis Adams, in which is recorded, from December, 1772, day by day, the movements and occurrences of the time, with a full and frank expression of his own views and opinions. Under date of 1773, December 17, is written as follows:—

Diary of John Adams.

Last Night 3 Cargoes of Bohea Tea were emptied into the Sea. This Morning a Man of War sails. This is the most magnificent Movement of all. There is a Dignity, a Majesty, a Sublimity in this last Effort of the Patriots that I greatly admire. The People should never rise without doing something to be remembered,—something notable & striking. This Destruction of the Tea is so bold, so daring, so firm, intrepid, & inflexible, and it must have so important Consequences, and so lasting, that I cannot but consider it as an Epocha in History. . . .

What Measures will the Ministry take, in Consequence of this? Will y^r resent it? Will y^r dare to resent it? Will y^r punish us? how? By quartering Troops upon us? by Annulling our Charter? by laying on more duties? by restraining our Trade? by sacrifice of Individuals? or how?

The question is, whether y^e Destruction of this Tea was necessary? I apprehend it was absolutely and indispensably so. They co^d not send it back, the Gov^t Admiral & Collector & comptroller wo^d not suffer it. It was in their Power to have saved it, but in no other. It co^d not get by y^e Castle, y^e Men of War, &c. Then there was no other Alternative but to destroy it or let it be landed. To let it be landed, would be giving up the Principle of Taxation by Parliamentary Authority,

against which y^e Continent have struggled for 10 years. It was losing all our labor for 10 years, and subjecting ourselves & our Posterity forever to Egyptian Task-masters; to Burthens, Indignities; to Ignominy, reproach, & contempt; to Desolation and oppression; to Poverty & Servitude.

But it will be said, it might have been left in the Care of a Committee of y^e Town, or in Castle William. To this many objections may be made.

Such were the thoughts of John Adams on the morning following the event.

I might call attention to various autograph papers by Washington and Franklin, which are here for inspection, some of them of about the same date that we this evening commemorate. But I desire to confine myself to that which has some direct bearing upon this anniversary. I will therefore close my remarks by calling attention to the historical papers and mementos on the table before us, intimately associated with the life and labors of Josiah Quincy, Jr., one of the youngest, as he was one of the purest and best, of that noble company of patriots whose self-sacrificing labors prepared the way for American Independence.

Born in 1744, he entered Harvard in 1759, and graduated in 1763, with the highest academic honors, taking his degree of Master of Arts three years after, delivering an oration in English, the first English oration recorded in the college annals.

The theses of the graduates, printed in Latin, according to the custom of that day, with the dates 1763-1766, bearing the name of Josiah Quincy, are upon the table. There is also a manuscript volume, of the same date, written in his collegiate hand, containing seventy quarto pages, selected from Shakespeare. Other portions of this commonplace-book were afterwards filled with law reports.

As early as 1767, Josiah Quincy, Jr., became a zealous writer in the "Boston Gazette," doing much to shape the opinions of the time. In October of 1770, after what is known as the "Boston Massacre," when but twenty-six years of age, he undertook the defence of Captain Preston, — an act bitterly opposed at the time, but standing out as one of the most honorable events in the whole history of the country. During this same year he was appointed by the freeholders and other inhabitants of the town of Boston to draw up "instructions" for the representatives recently elected, among whom were the Hon. James Bowdoin, Samuel Adams, Thomas Cushing, and John Hancock.

I hold in my hands the original draft of this letter in the handwriting of Josiah Quincy, Jr. This was the boldest utterance which had yet been made. Governor Hutchinson writes: "The instructions given this year . . . not only afforded a strong presage of the measures of the House, but, in words more open and express than had been before ventured on, indicated to the government in England the design of a general revolt" (Hutchinson's History, vol. iii. p. 290).

Some of the passages are so striking and powerful, that from this autograph manuscript (the identical paper accepted by the town at that time) I will venture to read a few words:—

*Instructions from the Town of Boston to their Representatives, May 15,
1770.*

GENTLEMEN,—The town of Boston, by their late choice of you to represent them in the ensuing General Court, have given strong proof of their confidence in your abilities and integrity; for no period since the perilous times of our venerable fathers, has worn a more gloomy and alarming aspect. Unwarrantable and arbitrary exactions made upon the people, trade expiring, grievances, murmurs, and discontents, convulsing every part of the British empire, forebode a day of trial, in which, under God, nothing but stern virtue and inflexible fortitude can save us from a rapacious and miserable destruction. A series of occurrences, many recent events, and especially the late journals of the House of Lords, afford good reason to believe, that a deep-laid and desperate plan of imperial despotism has been laid, and partly executed, for the extinction of all civil liberty.

For many years past, we have, with sorrow, beheld the approaching conflict. Various have been the causes which pressed on this decisive period; and every thing now conspires to prompt a full exertion of our utmost vigilance, wisdom, and firmness. And as the exigencies of the times require not only the refined abilities of true policy, but the more martial virtues, conduct, valor, and intrepidity, so, gentlemen, in giving you our suffrages, at this election, we have devolved upon you a most important trust, to discharge which, we doubt not, you will summon up the whole united faculties of mind and body.

The instruction then goes into detail respecting various grievances, and finally calls attention to the imperative necessity of Union among the colonies:—

One of the most weighty matters which attracts our affection, and lies deep in the heart of every sensible and honest American is the *firm and lasting UNION of the colonies*. There is no one point which ought more to engage your affectionate zeal.

Our enemies, well knowing the consequence of this great acquisition,

have bent their whole force to render it abortive. Without the least foundation, jealousies have been insidiously infused, diabolical falsehoods forged, idle tales propagated, little discords fomented, and every engine, that fraud could invent, and hardy villains manage, has been set to work, in order to retard, if not utterly overthrow, this desirable attainment. But all hath not done. The eyes of our worthy brethren, through the continent, are open.

Yet, as we know the plotting malice, inveteracy, and indefatigable labor of the desperately wicked, we strongly inculcate that you be zealous to keep up a cordial intercourse with our sister colonies; and, as our interests are so apparently inseparable, nothing but an intimate communion is requisite to cement our political and natural attachment.

Our choice of you, gentlemen, to represent us at this hazardous juncture, is a sufficient evidence of our great dependence on your wise, honest, and steady conduct. We therefore leave all other matters to your best discretion and judgment, till we shall see fit to give further instructions. We greatly confide that you will bear in strong remembrance the hardships and sufferings of our pious fathers to find out and purchase this remote asylum from ecclesiastical persecution and civil tyranny; that, inspired by their glorious example, you will vigorously repel, even unto the uttermost, the insults and violences of internal and external enemies to our peace. We remind you that, the further nations recede and give way to the gigantic strides of any powerful despot, the more rapidly will the fiend advance to spread wide desolation; and then, should an attempt be made to stay his ravaging progress, "the dogs of war, let loose and hot for blood,—rush on to waste and havoc."

Obsta principiis is the maxim to be held in view. It is now no time to halt between two opinions. The demands of fraud, violence, and usurpation are insatiable. It is, therefore, no reason to stand listening to subtle allurements, deceitful cajolings, or formidable threatenings. We therefore enjoin you, at all hazards, to deport (as we rely your own hearts will stimulate) like the faithful representatives of a free-born, awakened, and determined people.

At the meeting when this Report of Instructions by Mr. Quincy was unanimously accepted by the inhabitants, in 1770, Richard Dana signed the paper as presiding officer, and William Cooper as Town Clerk.

Such was the spirit existing in 1770,—and there were three years more of aggressions on the one side, and endurance on the other, before that outburst of feeling which destroyed the tea.

As another evidence of the manner in which these principles pervaded the whole nature of this devoted patriot, and stamped themselves upon every thing upon which he looked, we need

but turn our eyes to this piece of silver plate bearing the Quincy arms, where the crest assumed is a law book supporting a liberty-cap, and dated 1770.

And in his will he wrote, "I give to my son, when he shall arrive at the age of fifteen years, Algernon Sidney's works, John Locke's works, Lord Bacon's works, Gordon's 'Tacitus,' and Cato's Letters. May the Spirit of Liberty rest upon him!"

Ten years after his death his library was consumed by fire, and wholly lost. The only volume saved was one quarto volume of "Blackstone's Commentaries on the Laws of England," printed at Oxford, 1768. This volume, now before us, was fortunately loaned at the time to the Phillips family.

We have also with us the original draft, wholly in the handwriting of Josiah Quincy, Jr., of his famous "Observations on the Act of Parliament, commonly called the Boston Port Bill," written in 1774, with various alterations made by himself; together with the proof-sheets of the first edition, published by Edes and Gill, in Queen Street, revised and corrected by his own pen.

"Be it remembered," said Daniel Webster, "it was a thinking community that achieved our Revolution before a battle had been fought." These very pages before us (which have been written now for a hundred years) were the living thoughts which helped to enlighten and kindle the popular mind.

Before proceeding further, permit me to state that we are indebted to the family, and especially to the eldest daughter, Eliza Susan Quincy, for these most interesting mementos and papers so sacredly associated with the memory of Josiah Quincy.

A sympathizing companion to her father through his long public career, she has ever been indefatigable in collecting facts, and in the pursuit of antiquarian and historical investigation; with artistic skill delineating what could thus be presented to the eye, and with accurate judgment giving expression to materials of thought, which her untiring industry has collected.

President Quincy always gave testimony to his indebtedness to his eldest daughter. In the preface to his "History of Harvard University," published in 1840, he affirms that the work through its whole progress owed much to her vigilance. And Mr. Edmund Quincy, in his recent life of his father, speaks of this sister as his father's confidential friend and literary adviser, who was appointed by her father's will the custodian of his papers.

The members of this Society will, I am sure, be gratified to learn that Miss Quincy is at present engaged in carrying through the press a new edition of the memoirs of her grandfather, with additions and notes; the earlier edition, of 1825, having been long out of print.

There is but one paper more to which I will call attention: it is the autograph letter by Josiah Quincy, Jr., written in London, Dec. 14, 1774, in which he writes home to his wife the words he had uttered in the Old South Church, at the memorable meeting which preceded the destruction of the tea. It is the only authentic account of that speech which exists; and Gordon, who introduces it into his *History of the Revolution*, borrowed it from this manuscript.

As a preface to his abstract of the address, Mr. Quincy, in his letter, speaks of the condition of feeling he had found in England, and utters in the most earnest manner his deep conviction that nothing short of the absolute shedding of blood could ever secure liberty to his country.

"Be true to yourselves," he writes. "There is not a sensible man of either party here but acknowledges your ability to save your country, if you have but union, courage, and perseverance."

"Let me tell you one very serious truth," he continues, "in which we are all agreed. Your countrymen *must* seal their cause *with their blood*. You know how often and how long ago I said this. I see every day more and more reason to confirm my opinion."

"Surely, my countrymen," he adds, alluding to his address at the Old South, "will recollect the words I held to them this time twelvemonth."

Before quoting the address itself, let me read a few words from Bancroft, vol. vi. pp. 485, 486:—

"The morning of Thursday, the sixteenth of December, 1773, dawned upon Boston, a day by far the most momentous in its annals. . . . At ten o'clock the people of Boston, with at least two thousand men from the country, assembled in the Old South. Samuel Adams . . . addressed the meeting, which was become far the most numerous ever held in Boston, embracing seven thousand men. There was among them a patriot of fervid feeling; passionately devoted to the liberty of his country; still young; his eye bright, his cheek glowing with hectic fever. He knew that his strength was ebbing. The work of vindicating American freedom must be done soon, or he will be no party to the great achievement. He rises, but it

is to restrain, and, being truly brave and truly resolved, he speaks the language of moderation."

Mr. Quincy's Address, copied from his own manuscript.

"It is not, Mr. Moderator, the spirit that vapors within these walls that must stand us in stead. *The exertions of this day will call forth events* which will make a very different spirit necessary for our salvation. Look to the end. Whoever supposes that shouts and hosannas will terminate the trials of the day, entertains a childish fancy. We must be grossly ignorant of the importance and value of the prize for which we contend; — we must be equally ignorant of the powers of those who have combined against us; — we must be blind to that malice, inveteracy, and insatiable revenge, which actuate our enemies, public and private, abroad and in our bosom, to hope we shall end this controversy without the sharpest, the sharpest conflicts; to flatter ourselves that popular resolves, popular harangues, popular acclamations, and popular vapor, will vanquish our foes. Let us consider the issue. Let us look to the end. Let us weigh and consider, before we advance to those measures which must bring on the most trying and terrible struggle, this country ever saw."

"Thus," says Bancroft, "spoke the younger Quincy. 'Now that the hand is to the plough,' cried a voice from among the throng, 'there must be no looking back.' Then the whole assembly of seven thousand voted unanimously that the tea should not be landed."

Still the assembly refused to dissolve; but, on the return of Rotch from Milton, about six o'clock, and on his report to the meeting that the Governor would not grant a pass for the "Dartmouth," and that it was not in his power to send the vessel back with the tea on board, Samuel Adams said, "This meeting can do nothing more to save the country."

At that moment a band of men dressed as Mohawks, with vehement shouts, passed by the church, and the house in which Franklin was born, on their way to Griffin's Wharf. Very soon there was resolute work on board the "Dartmouth," "Eleanor," and "Beaver," and speedily the much-talked-of tea was floating in the harbor.

Well might Mr. Quincy add as he did in his letter from London, "In the sight of God and all just men, the cause is good; — we have the wishes of the wise and humane, we have the prayers of the pious, and the universal benison of all who seek to God for direction, aid and blessing."

While that meeting was held at the Old South Church, exactly one hundred years ago, — not far distant, in her pleasant home, nearly opposite the Province House, a mother was watching her child. That infant, under two years of age, was Josiah Quincy, for whom the father in his last will sent up the aspiration, "May the Spirit of Liberty rest upon him!" — a prayer which we all know was abundantly fulfilled.

We, the members of this Massachusetts Historical Society, of which he was for sixty-eight years an ever-honored and most active member, his election to membership having taken place within the first two years of our corporate existence; we, thinking of him always as venerable, — proud of his name at the head of our roll, welcoming his presence, and anxiously listening to his counsels, the living representative of the great historic period of the past; we, who recall him as the efficient head of our city and the beloved President of our most ancient University, who was with us at our meetings even when he had reached the age of ninety, — it is difficult for us to feel that, — on the day whose hundredth anniversary we have met to celebrate, and while his father was addressing the excited multitude in the Old South Church, — he rested a helpless infant, protected and blessed by a mother's tender love.

I will close these remarks by reading the following lines, written by Mrs. Waterston, the youngest child of our venerated friend, and the grand-daughter of Josiah Quincy, Jr., of Revolutionary memory: —

A FAMILY PICTURE.

JOSIAH QUINCY, JR. ABIGAIL PHILLIPS QUINCY.

December 16, 1773.

She was sitting by her fireside,
Thro' the closing hours of day,
While wintry waves were tossing
In Massachusetts Bay.

A little child was sleeping,
Rocked by her beating heart, —
She knew the fateful moment,
And was ready for her part.

Who comes? It is her hero, —
The man whose voice of power
Had uttered words prophetic,
'Mid the passions of the hour!

The deed is done, — the cargo
Has sunk into the sea;
The conflict which must follow
Is the fight for LIBERTY!

Then rose the wife and mother, —
No tears were hers that night;
She laid her holy treasures
On the Altar of the Right.

The baby on her bosom,
The hero of her love, —
She pledged them both to Freedom,
God heard the vow above.

Soon closed her hero's story:
His soul of fire and light
Passed, as the guns of Lexington
Opened the fearful fight.

The baby on her bosom
Through ninety years fought well
For a stainless flag of freedom,
As his country's records tell.

A hundred years have vanished;
We know by heart and sight
The conflicts which have followed
That wild December night.

And standing thus surrounded
By spirits of the past,
Let us wrestle for their blessing,
While we hold their mantle fast.

The Rev. GEORGE E. ELLIS, D.D., then passed around for the inspection of the members of the Society a large Silver Bowl, which was viewed with more than ordinary interest on account of the historical importance which it possesses.

Upon the front of the bowl is inscribed:—

To the Memory of the glorious Ninety-Two Members of the Honorable House of Representatives of the Massachusetts Bay, who, undaunted by the insolent Menaces of Villains in Power, from a strict regard to Conscience and the Liberties of their Constituents, on the 30th of June, 1768, Voted, *Not to Rescind*.

This inscription is surrounded by a wreath, and surmounted by a liberty-cap. On the opposite side of the bowl is a smaller wreath encircling the words,—

No. 45.

"Wilkes and Liberty."

Between, also surrounded by a liberty-cap, two small standards. Upon that at the right hand is engraved *Magna Charta*; and upon that at the left, *Bill of Rights*. Underneath is engraved a torn document, inscribed *General Warrants*.

Around the circumference, near the top of the bowl, are engraved the names of the Fifteen Associates, belonging to Boston, for whom the bowl was made, and to whom, as a fellowship, it belonged. The favorite method of a "Round Robin" is adopted, to indicate equality and common responsibility. The names are as follows:—

John Homer, John White, William Bowes, William Mackay, Peter Boyer, Daniel Malcom, Benjamin Cobb, Benjamin Goodwin, Caleb Hopkins, John Welsh, Nathaniel Barber, Fortesque Vernon, Daniel Parker, John, Marston, Ichabod Jones.

In referring to this relic, Dr. ELLIS said: The bowl, simple in form, and without chasing, is of pure standard silver, of substantial thickness, and hammered work. It was manufactured by Paul Revere, whose name is modestly stamped underneath. It weighs forty-four ounces and seven pennyweights. It is nearly six inches in depth and eleven inches in diameter, and will hold about a gallon. It rests upon a thick-rimmed base, or foot, of an inch in breadth. Mr. William Mackay bought out the shares of his associates in its proprietorship. It now belongs to his grandson, Mr. Robert Caldwell Mackay of this city.

The name "Sons of Liberty" is said to have been adopted here from its having been used in a speech in Parliament by our friend Colonel Barré. The fellowship under the name here was formed after the passage of the Stamp Act, and was first called in a Boston paper "The Union Club." It was composed mostly of mechanics, and held secret meetings, at which the risings and other measures were planned. The principal committee met in the counting-room of Chase & Speakman's distillery, in Hanover Square. (See "Boston Gazette," Aug. 22, 1768.) The Provincial Assembly of Massachusetts had voted in 1767 to raise a Committee of Correspondence, by a circular letter, with the sister colonies, upon the common grievances. This high-handed measure, foreboding treason, congresses, and independence, when reported by Governor Sir Francis Bernard to the King and ministry, was interpreted in its full significance. A demand for the rescinding of the Act was made by the Governor, under Instructions, of the Assembly of the next year. The mischief of the circular letter had, of course, already been done. A warm debate in the Assembly resulted, June 30, 1768, in a vote "Not to rescind." Seven

teen voted for rescinding, ninety-two against rescinding. John Wilkes, in No. 45 of his "North Briton," vindicated the act of the colonies. "General warrants" were governmental warrants giving authority to search houses.

This ancient relic of our local patriotism was evidently intended for holding, that there might be dispensed from it with a ladle, a favorite compounded beverage, of which a considerable quantity must have been made and used internally or externally, in just those days, which went by the name of "Punch." It is to be supposed that if the company to partake of it was large, there was another more capacious, if less costly, vessel near at hand, from which its contents might be renewed. Possibly, too, there were certain bottles or decanters in close proximity, from which those contents might be reinforced if too weak a hand had directed the mixture in the bowl. The exact method of compounding that old-fashioned beverage as to its ingredients, their proportions, and the order of putting them in it, is said to have died out with the "good old times" that are gone. Certain approximate, but confessedly demoralized, recipes for preparing it are preserved in some of our old and marked families. Such of those as we occasionally have the opportunity to test may be pronounced as in a measure satisfactory. But the original veritable compound, I believe, is now generally regarded as one of the "lost arts"; though I am not aware that Mr. Phillips has given it a place among them. Some of the essential materials of it are said to be no longer within the reach of common people. A probable, and, on the whole, a kindly explanation of the apparently copious amount and free use of this famous beverage, in those critical times, as certified by the survival of so many of these bowls, was that it was found to be an imperfect substitute for that suspicious and treacherous herb called "Tea." True, that herb had not been actually proscribed at the time when Paul Revere hammered out this bowl. But it had the anticipatory mark of dread and apprehension upon it. When it came really to be proscribed, and our patriotic women foreswore its genial essence, we are left to suppose that they may have occasionally shared in what was dispensed from this silver vessel, though, of course, they used the smaller-sized ladles. In these days of ours the former ingredients of this bowl have taken the place of tea on the prohibited list. But one thing is certain, that, if any one will search through the news journals, the reports of harangues at popular gatherings, the resolutions of patriotic meetings, the letters and bill-posters of those days, he will find the whole vocabulary of opprobrious,

objurgatory, and damnatory adjectives more freely and exhaustively drawn upon, to be attached to that word "tea," than are now ever used in condemnation of more potent liquors. We meet with the sharp epithets "detestable," "villanous," "poisonous," "cruel," "fatal," "devilish," "fiendish," &c. In the Life of Dr. John Warren, of Revolutionary memory, just published by his son, Dr. Edward Warren, the biographer says that his honored mother, daughter of the Quaker Governor of Rhode Island, had an eminent reputation for her skill in compounding "punch." He adds that she was wont to put a few tea-leaves in the bowl. This mixture of these incongruous materials ought to have done something towards harmonizing the strife in which they played such important parts. In conclusion, it is to be said that this particular punch-bowl is not that one which prompted, for its due historic commemoration, the spirited ode of our honored laureate, Dr. Holmes. It is to be feared, however, that some who partook of draughts from this ancient vessel may have been greeted on reaching their bed-chambers at night with the closing line of that poem, as a question, "My dear, where *have* you been?"

The President then called on Dr. OLIVER WENDELL HOLMES, who read the following ballad composed for the occasion:—

A Ballad of the Boston Tea Party.

No! never such a draught was poured
Since Hebe served with nectar
The bright Olympians and their Lord,
Her over-kind protector,—
Since Father Noah squeezed the grape
And took to such behaving
As would have shamed our grandsire ape
Before the days of shaving,—
No! ne'er was mingled such a draught
In palace, hall, or arbor,
As freemen brewed and tyrants quaffed
That night in Boston Harbor!
It kept King George so long awake
His brain at last got addled,
It made the nerves of Britain shake,
With seven score millions saddled;
Before that bitter cup was drained,
Amid the roar of cannon,
The Western war-cloud's crimson stained
The Thames, the Clyde, the Shannon;

Full many a six-foot grenadier
 The flattened grass had measured,
 And many a mother many a year
 Her tearful memories treasured ;
 Fast spread the tempest's darkening pall,
 The mighty realms were troubled,
 The storm broke loose, but first of all
 The Boston teapot bubbled !

An evening party, — only that, —
 No formal invitation,
 No gold-laced coat, no stiff cravat,
 No feast in contemplation,
 No silk-robed dames, no fiddling band,
 No flowers, no songs, no dancing ;
 A tribe of Red men, axe in hand, —
 Behold the guests advancing !
 How fast the stragglers join the throng,
 From stall and workshop gathered !
 The lively barber skips along,
 And leaves a chin half lathered ;
 The smith has flung his hammer down, —
 The horseshoe still is glowing ;
 The truant tapster at The Crown
 Has left a beer-cask flowing ;
 The cooper's boys have dropped the adze,
 And trot behind their master ;
 Up run the tarry ship-yard lads, —
 The crowd is hurrying faster ;
 Out from the Millpond's purlieus gush
 The streams of white-faced millers,
 And down their slippery alleys rush
 The lusty young Fort-Hillers ;
 The ropewalk lends its 'prentice crew, —
 The Tories seize the omen :
 " Ay, boys ! you'll soon have work to do
 For England's rebel foemen,
 ' King Hancock,' Adams, and their gang,
 That fire the mob with treason, —
 When these we shoot and those we hang,
 The town will come to reason."

On — on to where the tea-ships ride !
 And now their ranks are forming, —
 A rush, and up the Dartmouth's side
 The Mohawk band is swarming !
 See the fierce natives ! What a glimpse
 Of paint and fur and feather,

As all at once the full-grown imps
Light on the deck together !
A scarf the pigtail's secret keeps,
A blanket hides the breeches, —
And out the cursed cargo leaps,
And overboard it pitches !

O woman, at the evening board
So gracious, sweet, and purring,
So happy while the tea is poured,
So blest while spoons are stirring,
What martyr can compare with thee,
The mother, wife, or daughter,
That night, instead of best Bohea,
Condemned to milk and water !

Ah, little dreams the quiet dame,
Who plies with rock and spindle
The patient flax, how great a flame
Yon little spark shall kindle !
The lurid morning shall reveal
A fire no king can smother,
Where British flint and Boston steel
Have clashed against each other !
Old charters shrivel in its track,
His Worship's bench has crumbled,
It climbs and clasps the Union Jack, —
Its blazoned pomp is humbled,
The flags go down on land and sea
Like corn before the reapers ;
So burned the fire that brewed the tea
That Boston served her keepers !

The waves that wrought a century's wreck
Have rolled o'er Whig and Tory, —
The Mohawks on the Dartmouth's deck
Still live in song and story,
The waters in the rebel bay
Have kept the tea-leaf savor, —
Our old North Enders in their spray
Still taste a Hyson flavor ;
And Freedom's teacup still o'erflows
With ever fresh libations,
To cheat of slumber all her foes
And cheer the wakening nations !

Mr. WINSLOW WARREN communicated the following letter from Samuel Adams to James Warren, of Plymouth, written a few weeks after the destruction of the tea:—

Boston, Jan^y 10, 1774.

MY DEAR SIR,—I wrote to you about a fortnight ago by one of your Coasters. This I mention because I consider that, *as the Times are*, a Letter directed to you may possibly be prevented reaching your Hand. I have since receiv'd two Letters from your Committee; one of which informs us that another of your Protesters had rescinded. I am in hopes that most of them will see their Error, and for the future be aware of the Artifices of those who have misled and deceiv'd them. There is an Account in Draper's last Paper of a late Meeting in Plymouth, the Impartiality of which I very much question. If it be true, I am sorry that the Old Colony Deacon, with one Coadjutor, should have so much Influence as to break up a Meeting of the People, which the Arch Traitor himself could not effect here. Matters are so often misrepresented as to make a more frequent Communication between us necessary. There are two things which I wish to see set up in Plymouth, the one is a free Press, & the other a regular Post. For want of early Intelligence from the Southern Counties, the Cause of our Country suffers much.

The Tea which was cast on Shore at the Cape has been brot up, and after much Consultation landed at Castle William, the safe Asylum for our inveterate Enemies. There the Tea Consignees, after having rendered themselves more obnoxious than even Stamp Masters, have immur'd themselves.

By this last part of their Conduct they have increas'd the resentment and Indignation of the People. It is thought strange that young Clarke, after the Sentiments of so great a Part of the Continent were fully known, should venture to ride above 100 Miles in that part of the Country, & that he should not meet with a single Instance of Contempt. I hear that the new-made Colonel, Justice Bacon, & his brother Chillingworth, have, in Imitation, & probably by express Order of their Master, been very assiduous in affording Aid to the young Itinerant. Our Enemies dare not yet speak out; but from the Safety of the Tea at the Cape for so long a time, & until it was taken off by Mr. Clarke, they whisper among themselves that probably it might have been safe in every part of the Province but this Town. It is said, that the Indians this way, if they had suspected the Marshpee Tribe would have been so sick at the knees, would have march'd on snow shoes (I forget the original Term) to have done the Business for them. However, it may be all for the best; for while the Tea remains at the Castle, it may hang (as Edes & Gill express it) like a Millstone about the Necks of the Consignees. The Reputation of the Town of Plymouth, notwithstanding the utmost Efforts of your Tories to stain it, remains good. I dare say it will be a Satisfaction to you to recite one of the resolves of the Town of Marlbrō at a meeting on the 27th of last Month. It is in the following Words, viz.:—

"Resolv'd, that we look upon every Person who does not oppose the present unconstitutional Measures of Administration (*especially Edward Winslow & others of the ancient and honorable Town of Plymouth, who, without giving one Reason, have protested against the Proceedings of said Town*) as inimical to the Interests of America, and they ought to be despised by all the human Race."

Mr. Hutchinson undoubtedly *must* go to England soon. You know I am far from the Cabinets, and never desire to be nearer; yet I sometimes hear of the Court Conversation. It has been told by the Governor's Friends that he had leave to go home, but might stay here as long as he pleas'd. In truth, as I have been well inform'd, Lord Dartmouth's Letter to him was to this purpose, & express'd nearly, if not exactly, in these Words: "Although it is not usual for his Majesty to permit his Governors to return home without their Application, and for special Reasons given, yet he has been graciously pleas'd to give you Leave under his Sign manual to repair to Great Britain, *and* stay as long as you please. You are however not to consider this as the Effect of the Petition of the House of Representatives & the Resolves of the two Houses, for they have not yet been brought to a Hearing;" which, I think, is as much as to say: You have Leave & would be wise to come home before the Petition & Resolves are bro't to a Hearing, & thus prevent it; otherwise it may be indispensably necessary to give you a more disagreeable Notice. I leave my Comment to your candid Judgment; but to convince you that his Lordship thought he had given him a sufficient Hint, in a Letter which the Governor has since receiv'd from him by the Packet, a few Days ago, which was directed to the Governor or Commander-in-Chief, his Lordship express'd his Doubt *whether that Letter would meet Gov^r Hutchinson in Boston*. Rapatio is now gone to Middlebrō to consult his Brother Hazlerod!

Pray don't fail to give your *early* and Constant Attendance, with our worthy friend Mr. Lothrop, at the approaching Session.

I am, with all due Regard, affectionately yours,

SAMUEL ADAMS.

Shall we see Mr. Turner's late anniversary Sermon in Print?

JAMES WARREN, Esq.

After the reading of this letter, Mr. Warren exhibited and presented to the Society a parchment deed of several parcels of land of Governor Hutchinson, situated in the towns of Dorchester, Milton, and Braintree, conveyed therein by Caleb Davis, Ebenezer Wales, and Richard Cranch (a committee appointed under the confiscation acts of Massachusetts) to Samuel Brown, the purchaser of said lands at public auction. The deed is dated 20th August, 1779. It cites the confisca-

tion act of Massachusetts of the 13th April preceeding; and the resolve of the 3d May, ordering the estate of Governor Hutchinson, "with the estates of divers other persons named therein," to be immediately sold at public auction.

The consideration named in the deed is the payment by said Brown of £39,496 4s. 2½d. "lawful money,"—of course the depreciated currency of the period. On the back of the same parchment, under date of 28 January, 1781, is indorsed a conveyance by Brown and his wife of the same property—"except a certain piece of land, called Woodland, containing forty-eight acres, one quarter, and nine rods"—to James Warren of Plymouth, the consideration being £3,000.

Mr. RALPH WALDO EMERSON then repeated, by request, the verses which he had read at Fanueil Hall in the afternoon, but which we have not been able to procure for the Proceedings.

Mr. T. C. AMORY expressed his wish to place on the honored roll two other names well known in our community, associated with the event which we this evening celebrate; namely, those of Amos Lincoln and James Swan. The former was born March 17, 1753, at Hingham, the home, since the earliest settlement of the country, of his race,—one widely and most honorably distinguished in our national annals. His own line of ancestors ascending was: 1. Enoch; 2. Jedediah; 3. Samuel, and another Samuel, who came from Norfolk, England, in 1637. These names sufficiently denote their traditional piety, as they do likewise the familiarity of the Puritans generally with the history of the Patriarchs. Samuel, son of the first Samuel, born August, 1650, and who died March, 1721, was in the great battle with the Narragansetts, Dec. 19, 1675. His grandson Enoch, father of Amos, married Rachel Fearing, and represented Hingham in the Legislature, 1775-78. Levi, son of Enoch and elder brother of Amos, studied law with Hawley, and, settling in Worcester, was appointed, in 1804, Attorney-General of the United States, under Jefferson. At one time he administered the affairs of the State Department at Washington, and in 1809 was offered, by President Madison, a seat on the bench of the Supreme Court. He was acting Governor of Massachusetts, after the death of Governor Sullivan, in 1808; and, twenty years later, his sons Levi and Enoch were at the same time Governors respectively of Massachusetts and Maine. General Benjamin Lincoln, of Revolutionary celebrity, was descended from Thomas of Hingham, distinguished from others of the same given name as the "Cooper." Abraham, the late lamented President of the United States, always

considered himself as of the Hingham stock; though, from early death, in the case of two of his progenitors, the links could not be traced. As evidence, he adduced the same frequent repetition of Scripture names in his own family which had characterized the original stem at Hingham, — names of Abraham, Mordecai, and Isaac, three sons of Mordecai, son of the first Samuel, being familiar among his own kinsmen.

Amos Lincoln, five years younger than his brother Levi, was apprenticed to Mr. Crafts, of Boston, who resided at the north part of the town, and still serving his time with him when the event occurred which is now commemorated. Mr. Crafts, possibly not wishing that his other apprentices should incur the consequences of so bold a proceeding, though not averse to Amos taking part in it, secretly procured an Indian disguise for him, and dressed him in his own chamber, darkening his face to the required tint. As we find that "Thomas Crafts" joined, in 1762, St. Andrew's Lodge of Freemasons, which met at the Green Dragon Tavern, where, as well as at Edes & Gill's printing-office, the arrangements for the night's work were made, there is little doubt that he and Amos's master was one and the same person. Exemplary in his habits of devotion, he prayed long and fervently that the young man might be protected and prospered in his enterprise; and after some hours his anxieties were relieved by his safe return. That there was some solemn pledge among them not to reveal who were their associates, is evident from the reticence of all concerned; for, though Mr. Lincoln later acknowledged his own participation, he would not mention the particulars or betray the names of his companions. He was at the Battle of Bunker Hill, attached to the regiment of General Stark; and, as captain of artillery, was at one time in charge of the castle in our harbor. He continued in the military service of his country throughout the war, and was present in the actions at Bennington, Brandywine, and Monmouth. At this period, while reconnoitring on one occasion with Lafayette, the latter suggested the importance of an earthwork at an advantageous point near by, and requested him to have it forthwith constructed. The work was already approaching completion when Colonel Crane, — his immediate superior, who was also of the tea-party, and indeed seriously injured in the affair by the fall of a chest upon him, — rode by, and expressed his surprise and displeasure, inquiring by whose order he had acted. Lincoln replied that it was in obedience simply to the colonel's master and his own, and soon made his peace by giving the colonel's name to the fort.

After the war was ended, he married Deborah, daughter of Paul Revere, and, after her death, her sister Elizabeth; and by them and his third wife, Mrs. Martha Robb, had sixteen children. He, as well as his father-in-law, was a member of St. Andrew's Lodge, his initiation and that of James Swan taking place in 1777. The title of the Lodge, being taken from the patron saint of Scotland, was objectionable to the patriots, and for that or other reason they seceded, and established another called the "Rising States," but it did not long continue in existence; and amongst its effects a heavy silver pitcher, suitably inscribed, was presented upon its dissolution to Captain Lincoln, who had been its treasurer, and one of whose descendants still has it in his possession. In private life he was widely known and respected, and in his vocation as a housewright was prosperous and of marked ability. The wood work of the State House was under his charge, and still bears tribute in its grace and beauty to his taste and workmanship. He died at Quincy in 1829, at the age of seventy-five, leaving many descendants, of whom his grandson, Frederic W. Lincoln, for many years the honored and popular Mayor of Boston, is well known to us all.

Colonel James Swan, in these stirring times when Boston was setting at defiance king, parliament, and ministers, was also an apprentice, but in a counting-room on one of its wharves. He dwelt with others of like pursuits at a boarding-house on Hanover Street, and all of them enlisted in this first overt act of rebellion. They wore the Indian garb and crooked their faces, and on board the ships stove in the chests and tumbled the tea into the harbor. Returning late to their abode, they groped their way silently to bed; and when the next morning they arose, as usual before daybreak, their shoes contained a liberal quantity of the obnoxious herb. At the breakfast table smooches on their countenances were still visible, and led to some mutual chaffing, with due discretion however, for they were well aware what disagreeable consequences might attend detection.

That same year had been published in Boston a pamphlet denouncing the slave trade, by "James Swan"; and, though he was young for authorship, its general style and treatment suggest the possibility that it may have been his production. It passed through two other editions afterwards, the last as late as 1809, with many corrections and variations. Several other pamphlets of his publication, on finance, agriculture, and similar topics, are to be found in the same collection. What military service, if any, he rendered in the war has not been ascertained; but at its close he held the commission of major in a cavalry corps. About this period he married Hepzibah Clarke, sole heiress

of a large estate, and went to Europe. Whilst in France he engaged extensively in speculation, with varying results; but the times were propitious for bold operations, and soon after the beginning of the century he had accumulated, it is said, several millions of money, a portion of which he invested in lands in Virginia, Kentucky, and Pennsylvania. He then resided for a time in his native State, purchasing a large tract of land in Palmer, and also an estate in Dorchester, and took much interest in agricultural pursuits. But, missing the excitement of the busy life he had been leading abroad, he soon repaired thither again, and re-engaged in business. His partners proved dishonest, some of their speculations ended in disaster, and, involved in liabilities from their fault, not his own, he was confined for several years in the Debtors' Prison at Paris.

The property of his wife was in trust, and, large as it was, not sufficient to meet his obligations, and no negotiations availed to secure his release. As by the French law friends were permitted to provide for the comfortable and even luxurious accommodation of debtors, he had pleasant apartments, garden ground for his daily exercise, and at his table frequent guests, both French and from among his own countrymen. When he had reached the age of seventy, beyond which period the law in France did not permit imprisonment for debt, he regained his liberty, and for several years resided in Paris, liberally supplied by his family here with means for his support.

Visiting Europe, continued Mr. Amory, under medical advice for pulmonary difficulty while a student in Harvard, he invited me to dine with him,—my uncle, General Sullivan, having married one of his daughters. When the other guests withdrew, he requested me to remain, and by the open window we sat till late into the summer night, while I related to him what he cared to know of his grandchildren, who were also my kinsfolk, and whom he had never seen; and he recounted to me various incidents of his own early days, and among them the particulars of the destruction of the tea, in which he had assisted. I saw him frequently afterward. He was tall, of noble proportions, and, though advanced in years, of a handsome and prepossessing countenance.

The President read the following letter from our associate, Mr. William T. Davis:—

PLYMOUTH, Dec. 16th, 1878.

HOB. R. C. WINTHROP.

MY DEAR SIR,—Finding that I shall not be able to be present at the meeting of the Historical Society to be held this evening to com-

memorate the hundredth anniversary of the *Tea Party* of 1773, I desire to make through you a slight contribution to the fund of reminiscences with which you will probably be entertained.

On the 4th of October, 1859, the death occurred in this town of Mrs. Priscilla Cotton, widow of Rev. Josiah Cotton, at the age of ninety-nine years and four days. Her husband was fourth in descent from Rev. John Cotton of old Boston in England, who came to this country in 1633. After the fashion of the family, he was a minister of the gospel,—a fashion which was sufficiently early confirmed to enable Josiah Cotton, grandson of Rev. John Cotton, to state in his diary, somewhere about the year 1740, that no less than twenty-seven of his stock in New England had preached the gospel. The Cottons were not only religiously inclined and spiritually minded, but they were so well-developed and sleek in their bodies that in 1711, when Sir Hovenden Walker and General Hill from England, officers connected with the disastrous expedition against Quebec, were visiting Harvard College on Commencement Day, the Rev. Rowland (Roland) and the Rev. Theophilus Cotton, grandsons of the first John of old Boston, were introduced to them by Mr. Dudley, son of Governor Dudley, to counteract an impression shared by them that the clergy of New England were poorly supported and poorly fed.

Mrs. Cotton, whose death I have mentioned as occurring in 1859, was born in Plymouth on the 30th of September, 1760, in the reign of George II., and was the sister of Elkanah Watson, who was also born in Plymouth, Jan. 22, 1758, and died at Port Kent, in the State of New York, Dec. 5, 1842. Mr. Watson was a man of some note, of whom you doubtless know something. He was, I believe, a partner in the house of John Brown of Providence, and went to Europe in 1779 on business of that house, where he remained until 1784. He was a bearer of despatches to Dr. Franklin in Paris; and on the 5th of December, 1782, was, as he states in his diary, in the House of Lords "with two American Whigs, the celebrated painters West and Copley," when King George acknowledged our independence. He says that he stood "directly in front of his Majesty, at the foot of the throne, elbow to elbow with the famous Admiral Lord Howe; and that the event was as grateful to himself as humiliating to his Lordship." He further states that he dined with Copley on the same day, and that Copley hoisted the American stripes over his portrait, claiming to himself the honor of waving the new flag in triumph in old England for the first time. This circumstance goes far towards answering the question which, I believe, has been raised as to the sentiments of Copley during the war of the Revolution; while the fact that Mr. Watson calls him an American Whig leaves little room for further doubt on the subject. Mr. Watson, after his return from Europe, interested himself in the subject of canal navigation, and visited Washington at Mount Vernon in 1785, with reference to canal communication between Detroit and the Potomac. He afterwards, in 1791, made explorations with reference to connecting by canal navigation the waters of the Hudson and the Great Lakes; and was mainly instrumental in securing the passage

of the Act of 1792 by the Legislature of New York, which initiated the grand scheme of the Erie Canal. I think no one can read the diary of Mr. Watson, and the journal of his explorations, without coming to the conclusion that a son of the Old Colony is entitled to the credit of projecting that canal policy which has aided so largely in developing not only the resources of New York, but of the whole country.

Mrs. Cotton, of whom I commenced speaking, was thirteen years of age at the time of the destruction of the tea, and a scholar attending the school and living in the family of Lady Hazeltine, whose house stood in Milk Street, near the Old South. I have heard her tell the story of the Indians and their *war-whoop* more than once; and she took special pride in remembering that the man-servant in the family came home with some of the tea in his boots, and that she with other members of the family drank of it on the following day. Mrs. Cotton was in the habit of repeating to her friends a piece of poetry on the subject of the destruction of the tea, and at their request placed it on paper for preservation. The copy I send is in her handwriting, and may derive some interest from the fact that it was a contemporaneous production, and written out by a person who witnessed some features of the event you celebrate, and drank of the historic tea. You will please be kind enough to retain the copy in your hands until I see you, as I am obliged to restore it to its owner.

Permit me, sir, in closing this letter, to mention a circumstance which not only illustrates Mrs. Cotton's protracted life, but also the beneficent character of the Massachusetts Hospital Life Office, of which you are one of the trustees. Between the years 1826 and 1830 she deposited in that office sums amounting in the whole to \$1,611.47, on which she lived sufficiently long to receive as annuities, in addition to the interest, a sum of money representing surplus interest and interest on the same amounting to more than \$5,800.

Be kind enough to excuse me if you find the scrap of no interest; and believe me, with respect,

Your obedient servant,

WILLIAM T. DAVIS.

The following are the lines enclosed in Mr. Davis's letter:—

As near beauteous Boston lying,
On a gentle swelling flood,
Without Jack or pennant flying,
Three ill-fated Tea-ships rode:

Just as glorious Sol was setting,
On the wharf a numerous crew,
Sons of freedom, fear forgetting,
Suddenly appeared in view.

O'er their heads, in lofty mid-sky,
Three bright angels then were seen:

This was Hamden, that was Sydney,
And fair Liberty between.

Quick as thought, without delay,
Axes, hammers, were display'd,
Spades & shovels in array—
Oh, what a glorious Crash they made!

Cap^{ns}, you may hoist your Streamers,
Quickly plow it o'er the wave;
Tell your Masters they were Dreamers
When they thought to Cheat the Brave.*

* These lines, with some changes in their construction, and with the addition of three stanzas, were published in the "Boston Evening Post" of Monday, January 24, 1774, copied from the "Pennsylvania Packet" of January 3. All these stanzas are given below:—

A NEW SONG.

To the plaintive tune of Hester's Ghost.

AS near beauteous BOSTON lying
On the gently swelling flood,
Without jack or pendant flying
Three ill-fated Tea-ships rode:

Just as glorious Sol was setting,
On the wharf a numerous crew,
SONS OF FREEDOM, fear forgetting,
Suddenly appear'd in view.

Arm'd with hammer, ax and chissels,
Weapons new for warlike deed,
Towards the herbage-freighted vessels,
They approach'd with dreadful speed.

O'er their heads aloft in mid-sky
Three bright Angel forms were seen;
This was HAMDEN, that was SIDNEY,
With fair LIBERTY between.

"Soon," they cry'd, "your foes you'll banish,
Soon the triumph shall be won;
Scarce shall setting Phœbus vanish,
Ere the deathless deed be done."

Quick as thought the ships were boarded,
Hatches burst and chests display'd;
Axes, hammers, help afforded;
What a glorious crash they made!

Squash into the deep descended
Cursed weed of *China's* coast—
Thus at once our fears were ended:
British rights shall ne'er be lost.

Captains! Once more hoist your streamers,
Spread your sails and plow the wave!
Tell your *masters* they were dreamers
When they thought to cheat the BRAVE.

The following letter was received by the Recording Secretary, describing an interesting picture called the "Tea-tax Tempest," sent from Cincinnati for exhibition at the meeting:—

CINCINNATI, December 13th, 1873.

MY DEAR MR. DEANE,—I telegraph to you to-night: "Have sent you engraving, 'Tea-tax Tempest,' by Adams Express, care Historical Society."

The engraving represents Time as throwing light on a screen where is shown the explosion of a tea-pot, which throws a serpent towards the British on one side, and a liberty pole and cap towards the Americans on the other. The scene is looked upon by four figures typifying Europe, Asia, Africa, and America. The engraving was made in 1778 by Charles G. Guttenberg. The plate is 17 by 13 inches. Underneath it are the arms of Holland, 1560, and of Switzerland, 1296, with the title, "The Tea-tax Tempest, or the Anglo-American Revolution," in English, German, and French.

The copy that I send to you formerly belonged to Mr. James Le Boutillier of Cincinnati. He bought it in Europe some time ago, and once showed it at the British Museum, when a description of it, as an entirely unknown relic, was taken in writing. Its present owner, Mr. Robert Clarke, permits the engraving to be forwarded to Boston, in view of the approaching Centennial Anniversary of the famous Boston Tea Party; and I have undertaken to promise that you will see to the return of the picture to Cincinnati.

It may be that your Historical Society knows all about the engraving, or even has a copy of it; but I have thought it worth while to forward the engraving for the chance that it may prove interesting at your approaching celebration.*

I remain yours very truly,

JULIUS DEXTER.

The following extract from a letter written by Mrs. Hannah Winthrop of Cambridge, wife of Professor John Winthrop, LL.D., to Mrs. Mercy Warren of Plymouth, wife of General James Warren, dated Jan. 1, 1774, was read by Professor Henry W. Torrey:—

"Yonder, the destruction of the detestable weed, made so by cruel exaction, engages our attention. The virtuous and noble resolution of America's sons in defiance of threatened desolation and misery from arbitrary Despots demands our highest regard. May they yet be endowed with all that firmness necessary to carry them through all their

* This picture was subsequently presented to the Society by Mr. Clarke. Two other copies, belonging to members of this Society, were brought to the meeting on this occasion.—Ebs.

difficulties till they come off conquerors. I was sorry to see the Protest from Plymouth. If we could see their connections and expectations affixed to their names, it would let us into the prime movement of their narrow hearts, and it would be no great task to trace the original influences. We hope to see a good account of the Tea cast away on the Cape. The Union of the Colonies, the firm and sedate resolution of the People, is an omen for good unto us. And be it known unto Britain, even American daughters are Politicians and Patriots, and will aid the good work with their female efforts."

The meeting was now dissolved.

NOTE.

Several articles of historical interest were exhibited at the meeting, some of which were alluded to in the addresses of the evening. The following list may be worthy of record:—

Curious pieces of Silver belonging to the family of Josiah Quincy; namely, the "Flint Vase," presented to Tutor Flint by his pupils in Harvard College, inscribed:—

"DONUM PUPILLORUM.
HENRICO FLINT.
1718."

He was generally called "Father Flint." His sister married Judge Edmund Quincy, and two rooms in the old mansion were called "Father Flint's rooms."

A tea-pot, about the same date, bearing the arms of the Bromfield family. Belonged to the grandmother—on the maternal side—of Mrs. Abigail Phillips Quincy, wife of Josiah Quincy, Jr.

Cream-pitcher, bearing the Quincy arms (seven mascles), with a crest, assumed by Josiah Quincy, Jr.,—a law book, supporting a liberty-cap. Date, 1770.

Two ancient punch-ladles, history unknown; one belonging to Edmund Quincy.

Porringer, given by Benjamin Franklin to his confidential clerk, Josiah Flagg, as a token of esteem, marked "P.F.M." The inscription states that it originally belonged to Peter, and Mary Folger, the grand-parents of Benjamin Franklin, and is about one hundred and sixty years old. It now belongs to Miss Annie Flagg Wales, to whom it descended in the maternal line from the Flagg family.

Punch-bowl (porcelain), owned by Josiah Quincy, Jr.

Dress sword, belonging to Josiah Quincy, Jr., 1775; worn by him in London.

Daguerreotype, from a portrait of Henry Purkitt, the last of the survivors of the Tea-party, who died March 8, 1846, aged ninety-one,—belonging to Miss Prentiss.

Valuable Papers.

Original Journal, kept by John Adams in 1773, with entry, under date of December 17, of the destruction of the tea; owned by Charles Francis Adams.

Letter of Josiah Quincy, Jr., to his wife, — London, Dec. 14, 1774, — containing a report of his speech on the December previous, beginning, "It is not the spirit which vapors within these walls."

Original draft of the "Observations on the Boston Port Bill," 1774; with a corrected proof of same in his handwriting: Josiah Quincy, Jr.

Original MS. of the Instructions to the Representatives of the Town of Boston, in the handwriting of Josiah Quincy, Jr., May 15, 1770, at the age of twenty-six years.

Autographs of Washington, S. Adams, Franklin, &c., — belonging to the collection of Mr. Waterston.

Bound volume of Law Reports, belonging to Edward Rutledge, Esq.; first sixty-four pages in the handwriting of Josiah Quincy, Jr.

In the same Volume,

A petition of the Assembly in New York to His Majesty. Copied by a clerk. Fifty pages.

Copious selections from the "Beauties of Shakespeare," copied by Josiah Quincy, Jr., 1762.

Printed.

Printed Questions, discussed by Students at Harvard College taking their degree. 1768. Josiah Quincy, Jr., one of the students.

Printed Volume.

Blackstone's Commentaries on the Laws of England. Oxford, 1768. This volume was saved from the destruction by fire which befell the library of Josiah Quincy, Jr., by being lent at the time to one of the Phillips family.

JANUARY MEETING, 1874.

A stated meeting was held on Thursday, 8th January, at eleven o'clock, A.M.; the President in the chair.

The Recording Secretary read the record of the last stated meeting and that of the special meeting.

The Librarian read the list of donors to the Library for the past month.

The Recording Secretary reported a gift to the Cabinet by Mr. Robert Clarke, of Cincinnati, of the picture of "The Tea-Tax Tempest," the same that was sent on for exhibition at the meeting at Mr. Waterston's, 16th December. The thanks of the Society were ordered for the gift.

The Librarian specially announced that the Pickering Papers, which had been placed in the hands of Mr. Upham for the purpose of completing the Memoir of Timothy Pickering, had now been placed in the Library, in accordance with the letter of Mr. Henry Pickering published in the Proceedings of the Society for December, 1869, p. 162. The MSS. comprise 68 vols.

A renewed expression of the thanks of the Society was voted to Mr. Henry Pickering for this valuable donation.

The Librarian reported that he had, agreeably to a vote of the Society at the November meeting, placed in the archives of the State the small bundle of papers found in the Cabinet.

He further reported that he had, in accordance with the vote at the last stated meeting, placed in the hands of the Attorney-General of the State the three volumes of "Hutchinson Papers," accompanied by a letter to that officer, prepared by the committee, and now communicated by him to the meeting. He had also taken a receipt for the volumes.

MASSACHUSETTS HISTORICAL SOCIETY,
BOSTON, Dec. 22, 1873.

Hon. CHARLES R. TRAIN,
Attorney-General of the Commonwealth of Massachusetts.

SIR, — I am directed by a Committee, acting under a vote of the Massachusetts Historical Society passed December 11, to transfer to the Archives of the Commonwealth three volumes from the Library of the Society, containing documents lettered "Hutchinson Papers," which the Society had caused to be bound, and which it has had in charge for more than fifty years; and I would respectfully ask a receipt for the same.

The Committee desire to accompany this transfer, and would hope it may be accompanied in your communication to the Legislature, by the following historical explanation. In a report made to the Legislature by its own order, February 13, 1821, on the condition of the Records of the Commonwealth, Secretary Bradford said:—

“Several files of papers saved from the riot at Governor Hutchinson’s house, some of them of a private nature, and some of them public documents, collected by him probably as materials for his History of Massachusetts, and a volume of State Papers which he had published. These not being considered as belonging to the Government, or as any part of the Records of the Commonwealth, or ancient Colony or Province, *some of them*, valuable chiefly for their antiquity, were selected by the undersigned, with the consent and approbation of the Supreme Executive, and deposited in the Library of the Massachusetts Historical Society, a list of them being first made and kept in the Secretary’s office.”

The report from which this is an extract came to the knowledge of the Society at a late stage in the discussion as to the respective rights of the Commonwealth and the Historical Society in the above-named papers. Secretary Bradford, in his notes accompanying his contributions to the Society, had written that “he had obtained leave of the Council to present them to the Society.” But the use of the word *deposited* in the above extract, with the mention of a *list* of the Papers taken, as if with a view to the possible reclamation of them at some future time, disposed the Society to entertain for the first time the slightest doubt as to their absolute ownership in the manuscripts, which a former generation of its members had received, bound, and cared for as gifts. Though the requisition by the Legislature for the return of the Papers was not based upon this construction of the terms on which the Society held possession of them, the Society consented to surrender such of them as could be identified by an arbitrator as having come to it through the hands of Secretary Bradford. The list referred to by the Secretary in his report was not produced by the Commonwealth, and no corresponding list is in the archives of the Society. While, therefore, the Committee cannot perceive that any positive identification has been made of any considerable part of the Papers, distinguishing them from others that may have been in the Library of the Society, and received from other and earlier sources and bound with them, they are unwilling to avail themselves of this fact to prolong any further the issue between the Commonwealth and the Society.

Very respectfully your obedient servant,

SAMUEL A. GREEN,
Librarian of the Mass. Historical Society.

COMMONWEALTH OF MASSACHUSETTS,
ATTORNEY-GENERAL’S OFFICE, BOSTON, 9 COURT SQUARE,
Dec. 23, 1873.

Received of the Massachusetts Historical Society, by the hands of
Dr. Samuel A. Green, three volumes lettered Hutchinson Papers,

Vol. I., 1-162; Vol. II., 163-319; Vol. III., 320-466, in compliance with the award of Robert S. Rantoul, Esq., the Arbitrator between the Commonwealth of Massachusetts and said Society.

CHARLES R. TRAIN,
Attorney-General of Massachusetts.

The report of the Arbitrator on the "Hutchinson Papers," communicated at the December meeting, here follows:—

NO. 32 PEMBERTON SQUARE, BOSTON, Dec. 6, 1873.

To the Honorable CHARLES R. TRAIN, Attorney-General, and the Honorable ROBERT C. WINTHROP, President Massachusetts Historical Society.

GENTLEMEN,—Chapter eighty-one of the Resolves of the year eighteen hundred and seventy-one provides as follows: "That the Attorney-General be authorized to adjust the controversy between the Commonwealth and the Massachusetts Historical Society on these terms, namely: that the Society surrender to the Commonwealth all the documents called the Hutchinson Papers received by the Society from Secretary Bradford; the same to be identified by an arbitrator mutually selected, in case they cannot be otherwise agreed upon." The Attorney-General has so adjusted said controversy, and, the parties failing to agree upon the papers to be surrendered, Robert S. Rantoul has been mutually selected as arbitrator.

The mass of papers sought by the Commonwealth to be reclaimed through these proceedings, and which the Society desires to restore, has been variously characterized as follows:—

The first mention in point of time which we have of any portion of them occurs in an entry upon the Society's Journal, dated October twenty-eight, eighteen hundred and nineteen, which is in these words: *Voted*, "that the letters found among the papers of Governor Hutchinson, and communicated by Mr. Bradford, be referred to the Publishing Committee."

January twenty-fifth, eighteen hundred and twenty, Mr. Bradford sent a letter resigning his membership of the Society, in which he says: "I send some more old papers selected from Hutchinson's files; some of which have not been published, and most of which are of an early date, and valuable for the purposes of the Society. Any thing that I may collect in future, worthy of being preserved, I shall cheerfully transmit."

At the Society's next meeting, January twenty-seventh, eighteen hundred and twenty, Mr. Bradford sent a letter, saying: "I send some very old letters and papers selected from the files left by Governor Hutchinson, with a list of them. Some of them have been printed in Hazard, and some in Hutchinson. But many of them were never printed, and are valuable. I have obtained leave of the Council to present them to the Historical Society. They are no part of the files of the Secretary's office." The Society, in their vote of that date, say: "The additional letters found by Mr. Secretary Bradford among the papers of Governor Hutchinson, and presented to the Society by the permission of the Governor and Council, were referred to the Publishing Committee."

At the next meeting, April twenty-seventh, eighteen hundred and twenty, "The additional Hutchinson papers, presented by Mr. Secretary Bradford, were referred to the Publishing Committee," by vote of the Society.

In a report which Mr. Secretary Bradford made to the Legislature by its own order, February thirteenth, eighteen hundred and twenty-one, "on the present condition of the public records and documents belonging to the Commonwealth," we find the following:—

"Several files of papers saved from the riot at Governor Hutchinson's house, some of them of a private nature, and some of them public documents, collected by him probably as materials for his History of Massachusetts, and a volume of State Papers which he had published. These not being considered as belonging to the Government, or as any part of the Records of the Commonwealth, or ancient Colony or Province, some of them, valuable chiefly for their antiquity, were selected by the undersigned, with the consent and approbation of the Supreme Executive, and deposited in the Library of the Massachusetts Historical Society, a list of them being first made and kept in the Secretary's office." Neither of the lists referred to has been found.

August twenty-sixth, eighteen hundred and twenty-three, it was voted by the Society: "That the additional Hutchinson papers, received this day from the Secretary of State, be referred to the Publishing Committee."

In the X. Volume, second series of the Society's printed Collections, page 181, published eighteen hundred and twenty-three, occur these words: "By direction of the Governor and Council of this Commonwealth, the Secretary of State has deposited with the Massachusetts Historical Society a large collection of documents, public and private, which appear to have been used by the late Thomas Hutchinson, Esquire, Governor of His Majesty's Province of Massachusetts Bay, in the composition of that History which will probably continue to be the best narrative of any of the settlements on this continent. Several of these papers are printed in the collection of papers by Hutchinson, sometimes called the third volume of his History.

"Those here printed have been transcribed with great care by gentlemen of experience in the chirography of the different seasons of their date. In succeeding volumes other pieces may enrich our Collections."

In a memoir of the Society prepared by appointment by Rev. Dr. Jenks for publication in the "American Quarterly Register" for eighteen hundred and thirty-eight, and afterwards incorporated in the Society's printed Collections, it is said that "the zeal of Alden Bradford, Esq., LL.D., one of the few survivors among its earliest members, and a large contributor to the history of his country, as well as to the Collections of this Society, induced him to obtain from the Government of the State permission to extract from the Hutchinson Papers in the Secretary's office such as the Society might deem worthy of publication."

It appears, then, that the collection for which we seek consisted of letters and papers, some of them of a private nature and some of them public documents; that it was a large collection; that its matter was of early date, some of which had been printed in Hazard, some in Hutchinson, and much not at all; that it was such as Governor Hutchinson might have used as material for his two volumes of Massachusetts History, and for his volume of State Papers, sometimes called the third volume of his History; and that it was such as Mr. Secretary Bradford and the State authorities of the day thought might be spared from the Secretary's office. No vote authorizing the transfer of these papers is found on the records of the Executive Council or elsewhere at the State House.

The outbreak which scattered Hutchinson's library occurred at his house near North Square on the evening of August twenty-sixth, seventeen hundred and sixty-five.

He left the country, superseded by General Gage, June first, seventeen hundred and seventy-four.

The first volume of his History appeared seventeen hundred and sixty-four, and covered the period embraced between the settlement of the Colony and sixteen hundred and ninety-two. His second volume appeared seventeen hundred and sixty-seven, and covered a succeeding period ending with the year seventeen hundred and forty-nine.

His volume of State Papers, intended to support with documentary proofs the authority of his first volume of History, appeared seventeen hundred and sixty-nine, and covered papers dated between sixteen hundred and twenty-nine and sixteen hundred and eighty-nine.

He contemplated the publication of a second volume of papers, which never appeared, and which was in like manner intended as an appendix to his second volume of History.

He also left in manuscript, afterwards printed, a volume of History covering the period from seventeen hundred and forty-nine to seventeen hundred and seventy-four.

His family had been domiciled here since sixteen hundred and thirty-four. He says that he had himself spent thirty years in collecting these historical materials, and that "many ancient records and papers came to me from my ancestors, who for four successive generations had been principal actors in public affairs; among the rest a manuscript history of Mr. William Hubbard, &c. I made what collection I could of the private papers of others of our first settlers."

That the mass of such material collected at Hutchinson's house was very great, and that a very considerable quantity of it must have found its way to the State House in consequence of the Confiscation Acts passed, and the vigorous measures adopted in enforcing them, will not be questioned. His friend and neighbor, Dr. Andrew Eliot, not only made his house a haven for these scattered treasures, but public notice was advertised requesting all persons into whose hands they might fall to return them there.

"When Lieutenant-Governor Hutchinson's house was pillaged and pulled to pieces by an infuriated mob, his books and MSS. were

thrown into the streets, and were in danger of being completely destroyed. Dr. [Andrew] E[liot] made every exertion to save them. Several trunks of MSS., among them the second volume of the History of Massachusetts Bay, were preserved by his care and attention, and he spent much time in assisting to arrange them." (Eliot's Biographical Dictionary.)

The dates at which the second volume of the History and the volume of State Papers appeared, both being subsequent to the dispersion of the library in seventeen hundred and sixty-five, as well as the fact that Hutchinson contemplated a second volume of State Papers, and a third of History, make it probable that such historical material of value in this connection as reached Dr. Eliot must have been by him restored to Hutchinson before the flight of the latter from the country, and have thus found its way to the State House, upon the confiscation of his literary effects.* The manuscript of his second volume of History, stated by Hutchinson to have been thrown into the street and to have been rescued by Dr. Eliot, was so restored, and is now at the State House.

That the sacking of the library was thorough, and that Hutchinson lost public papers as well as private, appears from his letter of August thirtieth, seventeen hundred and sixty-five. He writes, but four days after his loss, to Richard Jackson, Esq.: "Besides my plate and family pictures, household furniture of every kind, my own, my children's and servant's apparel, they carried off about £900 sterling in money, and emptied the house of every thing whatsoever, except a part of the kitchen furniture, not leaving a single book or paper in it, and have scattered or destroyed all the manuscripts and other papers I had been collecting for thirty years together, besides a great number of publick papers in my custody." That the quantity which found its way to the State House, whether through Dr. Eliot's care and pains or otherwise, was considerable, appears from the letter of Samuel Dexter, Esq., of Dedham, to whom had been committed the custody of Hutchinson's literary effects in the hands of the Commonwealth. He writes, October eighteenth, seventeen hundred and eighty-three, that he has them "deposited in a large box, weighing, with its contents, near one hundred pounds."

That the several trunks full of manuscript saved by Dr. Eliot were by no means all that Hutchinson lost, but that other material, which may have come to the State House after Hutchinson's flight, eluded the care of his friend and neighbor, appears from his statement in the preface to the second volume of History, that "the loss of many papers and books, in print as well as manuscript, besides my family memorials, never can be repaired. For several days I had no hopes of recovering any considerable part of my History, but, by the great care and pains of my good friend and neighbor, the Rev. Mr. Eliot, who received into his house all my books and papers which were saved, the whole manuscript, except eight or ten sheets, were collected together, and although it had lain in the streets scattered abroad several hours in the rain, yet so much of it was legible as that I was able to supply the rest, and

* See letter of E. Eliot, Dec. 1814, in 2 Mass. Hist. Coll. III. 289.

transcribe it. The most valuable materials were lost, some of which I designed to have published in the appendix."

Trunks containing letter-books and papers were seized at Governor Hutchinson's house at Milton Hill, after his flight, by the provincial congress of Massachusetts.

"COMMITTEE OF SAFETY, April 20, 1775.

"*Voted*, That orders be given to General Thomas for seizing Governor Hutchinson's papers."

"May 1, 1775.

"*Voted*, That General Thomas be and he hereby is directed and empowered to stop the trunks mentioned to be in Colonel Taylor's hands, until this committee send some proper persons to examine their contents."

"GENTLEMEN, — In consequence of directions from the Committee of Safety, I sent an officer on whom I could depend to the house of Governor Hutchinson, who brought off all the papers he could find in that house; but I was informed that Colonel Taylor, of Milton, had lately taken several trunks out of the governor's house, not many days ago, in order to secure them from being plundered. I immediately sent another messenger to Colonel Taylor for all the papers that belonged to Governor Hutchinson which he had in his possession. He sent me for answer, he did not know of any papers that belong to said Hutchinson; but just now comes to inform me that there are several trunks in his house, which he took as aforesaid, which he expects will be sent for very soon. I suspect there may be papers in said trunks, and if it is thought proper two or three judicious persons be sent to break open and search for papers, he will give them his assistance. This, gentlemen, is submitted to the consideration of the honorable committee.

"I have, gentlemen, the honor to subscribe myself your most obedient humble servant,

"JOHN THOMAS.

"ROXBURY CAMP, May 2, A.D. 1775."

"May 15, 1775, A.M.

"*Ordered*, That Mr. Fisher, Colonel Field, and Mr. Bullen be a committee to examine the letters of Governor Hutchinson lately discovered, and report to this Congress such letters and extracts as they think it will be proper to publish."

"May 16, 1775, afternoon.

"*Ordered*, That Mr. Freeman and Doct. Holten be added to the committee appointed to examine Hutchinson's letters."

"May 20, 1775.

"It being expected that the present congress will be dissolved this night, and hearing that one volume of copies of Mr. Hutchinson's letters are in the hands of Captain McLane, at the upper paper mills in Milton, which volume may be of use to this colony, if in the hands of the Provincial Congress; therefore —

"*Resolved*, That the Rev. Mr. Gordon, of Roxbury, be desired and empowered to receive from said Captain McLane all such copies as are in his hands, or in any other hands, and to be accountable to the present or some future congress for the same."

Mr. Secretary Bradford, and those State officials with whom he advised, may well have supposed that of this large mass of manuscript once in the possession of Hutchinson, which he found at the State House, letters written to or by Hutchinson only possessed a political value, and that the rest, being of purely historical or antiquarian interest, might find a fit resting-place with the Historical Society. This view finds countenance in the votes and proceedings had by the authorities of the Province at the time of Hutchinson's departure. It was primarily these letters, written by or addressed to Hutchinson, and which, as it was supposed, were well calculated to convict the writers of hostility to the rights and liberties of America, which were vigorously sought out and vigilantly preserved. Such, indeed, are the contents of the three volumes of "Hutchinson's Correspondence" from seventeen hundred and forty-one to seventeen hundred and seventy-four, retained at the State House by Mr. Secretary Bradford, and subsequently bound, and which, with a fourth volume containing the manuscript History above alluded to as saved by Dr. Eliot, and little else, comprise all that now remains at the State House of the collection of papers once in Hutchinson's possession.

"IN THE HOUSE OF REPRESENTATIVES, August 18, 1775.

"*Ordered*, That Colonel Orne and Mr. Cushing, with such as the honorable board shall join, be a committee to consider what is proper to be done with the letters of the late Governor Hutchinson, and how they shall be preserved.

"Sent up for concurrence.

"JAS. WARREN, *Speaker*."

"IN COUNCIL, August 19, 1775.

"Read and concurred, and John Adams, Esq., is joined.

"S. ADAMS, *Sec'y*."

"The committee above-named report that it is of great importance that the letters and other papers of the late Governor Hutchinson be carefully preserved, as they contain documents for history of great moment; and that evidence in the handwriting of a man whose nefarious intrigues and practices have occasioned the shedding of so much innocent blood, and brought such horrid calamities on his native country, may be preserved for the full conviction of the present and future generations; and therefore that such of the letters and papers aforesaid as are not now in the custody of the Honorable Samuel Dexter, Esq., of Dedham, be delivered to him, and together with those already under his care, faithfully kept by him, until the further order of this court, and that such of them be published from time to time as he shall judge proper."

(Signed),

"JOHN ADAMS, *per order*."

"COMMONWEALTH OF MASSACHUSETTS,
"IN THE HOUSE OF REPRESENTATIVES, Oct. 14, 1783.

"*Whereas*, In the year seventeen hundred and seventy-five certain letters were found in the mansion-house of Thomas Hutchinson, Esq., late governor of the province of the Massachusetts Bay, written by the said Hutchinson to persons of public character and others in England and elsewhere, which letters tend to the discovery of the plans which had been secretly laid for the destruction of the rights, liberties, and privileges of the then British colonies; and whereas the said letters were committed to the care of the Honorable Samuel Dexter, Esq., with permission to the Rev. Doctor William Gordon to take and select such of them as he should judge proper for immediate publication;

"And *whereas*, It is highly expedient that papers so adapted as the said letters appear to be to mark the leading principals and characters in the late happy American Revolution should be safely kept among the archives of this Commonwealth, so that the historian and others may avail themselves thereof, under the direction of the General Court:

"*Resolved*, That the said Samuel Dexter, Esquire, Doctor William Gordon, and all others who are possessed of any of the said letters of the said Thomas Hutchinson, Esquire, be and they hereby are required to return the same into the Secretary's office without delay.

"*Ordered*, That the Secretary serve the said Samuel Dexter, Esquire, and Dr. William Gordon with an attested copy of the foregoing resolution, and also to publish the same in one of the Boston, the Salem, Worcester, and Springfield newspapers."

"IN THE HOUSE OF REPRESENTATIVES, Oct. 14, 1783.

"*Ordered*, That the Secretary be and he hereby is directed forthwith to make application to the Honorable Samuel Dexter, Esq., and the Reverend William Gordon, Doctor of Divinity, for the letters of the late Governor Hutchinson, which were found within this State, after he left the same, and to receive the same letters from any person in whose possession they may be, and to file them carefully among the papers of this State.

"Sent up for concurrence.

"TRISTRAM DALTON, *Sp'kr.*

"IN SENATE, Oct. 15, 1783.

"Read and concurred as taken into a new draft.

"Sent down for concurrence.

"S. ADAMS, *Presid't.*

"IN THE HOUSE OF REPRESENTATIVES, Oct. 16, 1783.

"Read and concurred.

TRISTRAM DALTON, *Sp'kr.*

"Approved.

"JOHN HANCOCK."

But we know something in detail of the papers composing Bradford's donation to the Society.

In Volume IX., second series of the Society's Collections, a list of fifteen items is acknowledged under the title of "Old letters and papers from Governour Hutchinson's MS. Collection," given by "Alden Bradford, Esq., Secretary of State."

In the next number, Volume X., of the same publication, occurs the acknowledgment already quoted, followed by the production in full of four other papers. The next, being Volume I. of the third series, opens with this announcement:—

"HUTCHINSON PAPERS."

"The publication of the series of documents begun in our last volume under this title is now continued."

And this head-note is followed by the printing in full of some sixty or more papers indexed under fifty-five titles, two of which papers had been acknowledged in the list of fifteen items above referred to.

Volume IX., second series, bears date eighteen hundred and twenty-two, and was actually in print early enough in that year to be acknowledged by a corresponding society in Philadelphia, May seventh, eighteen hundred and twenty-two.

Volume VIII., preceding it, was printed in eighteen hundred and nineteen, being acknowledged at Philadelphia, February, eighteen hundred and twenty.

Volume X., next succeeding it, bears date eighteen hundred and twenty-three.

Volume I., third series, next issued, eighteen hundred and twenty-five, and the imprint on Volume Second indicates that no other volume was issued after that until eighteen hundred and thirty.

Mr. Bradford was Secretary of the Commonwealth from eighteen hundred and twelve to eighteen hundred and twenty-four.

His first donation appears upon the Society's records October twenty-eight, eighteen hundred and nineteen.

Volume VIII., second series, was in print before the end of that year. His donations and the references of them to the Publication Committee cease with the vote of August twenty-sixth, eighteen hundred and twenty-three; and it is in Volume X., second series, dated eighteen hundred and twenty-three, but not acknowledged at Cambridge until July twelfth, eighteen hundred and twenty-four, and in Volume I., third series, dated eighteen hundred and twenty-five, that the publication in full of Hutchinson's Papers occurs.

On the morning of November tenth, eighteen hundred and twenty-five, occurred the disastrous fire in the office of the Honorable James Savage, in Court Street, which destroyed valuable manuscripts belonging to the Society.

Mr. Savage was a member of the Publication Committee for Volumes VIII. and X. of the second series, and I. of the third series, and as such had the right, denied to other members, of taking manuscripts into his private keeping.

Of the papers covered by the list of fifteen items admitted to have come from Bradford, though referred to the Publication Committee, but two were printed. One paper in the list had been already printed in

Hazard, and one in Hutchinson's first volume of History. These papers, taken in connection with the four from Bradford printed in the next issue, cover dates between sixteen hundred and twenty-five and seventeen hundred and seven. Some of them are private letters, some of them are public official documents.

The same general character pervades the papers published under fifty-five titles in Volume I., third series, which cover dates ranging between the years sixteen hundred and forty-one and seventeen hundred and seventy. The several papers given by Bradford which had been printed in Hutchinson's third volume of State Papers are not among these.

The Massachusetts Historical Society presents for examination a single mass of papers. This mass containing, with a few scattering exceptions, all the Hutchinson papers now known to remain in its possession is comprised in three bound volumes, containing four hundred and sixty-six folios, which may be subdivided among not far from two hundred and fifteen separate documents. These are mostly in manuscript, and are lettered "Hutchinson's Papers." They are arranged, as is the usual practice with miscellaneous masses of papers whose only bond of unity is a common source, with no reference to authorship or subject-matter, but, with a single exception presently to be noticed, in the chronological order of their dates.

This mass of papers was arranged, indexed, and procured to be bound up by the Honorable B. R. Nichols, pursuant to a vote of the Society, April twenty-five, eighteen hundred and twenty-two, requesting him "to cause the whole or a part, at his discretion, of the Hutchinson papers to be bound;" and he was thanked at a meeting held August twenty-sixth, eighteen hundred and twenty-three, "for his valuable labors in arranging the Hutchinson papers." At that meeting Bradford's last donation was referred to the Publishing Committee. Bradford had ceased to be a member of the Society. For three years no gift from him had been acknowledged. If he had forwarded this supplementary gift to Mr. Nichols while the mass was in the hands of the binder, instead of sending it to the rooms of the Society, we might expect that some of the manuscripts of this gift most worthy of preservation would have been included within the covers, and that the whole donation would have been announced and acknowledged when the bound mass and the other papers, if any, came before the Society.

Accordingly we are not unprepared to find that after the third of these bound volumes was completed and indexed, but before the lettering by the binder, a few documents were added out of their chronological places in the mass, and indexed in violation of the alphabetical order previously adhered to.

The contents of this mass are as heterogeneous as are the papers acknowledged to be of Bradford's gift. They range in date from the letter of March third, sixteen hundred and twenty-five, already cited as printed in second series, Volume X., to a letter about the Marshpee Indians, addressed to Governor Hutchinson five years after the loss of his library, and also printed in Volume I., third series; but nearly the whole of them bear date prior to the year seventeen hundred.

Among them are two copies, one in print and the other in writing, of the demand made by citizens of Boston upon Sir Edmund Andros at Fort Hill, which demand is found printed in Hutchinson's first volume of History. This document is acknowledged in Volume VIII., second series, printed in eighteen hundred and nineteen, as the gift of Bradford; but the vote of October twenty-eight, eighteen hundred and nineteen, referring the letters found by Mr. Bradford among the papers of Governor Hutchinson and communicated to the Society, to the Publishing Committee, calls for others, since this document in duplicate would not be called "letters," nor, being already in print, would it be referred to the Publishing Committee.

The mass exhibited further contains, scattered through it, all the documents covered by the list of fifteen items acknowledged as the gift of Bradford, and also the four documents acknowledged and printed in Volume X., second series, as from Bradford. It contains four documents written after the destruction of the Hutchinson library. Two-fifths of its contents bear marks of the handwriting of Alden Bradford, in some instances so concealed in the process of binding as to show that the indorsements, comments, and annotations made by him were made before the papers passed through that process. The papers acknowledged as from Bradford do not include all bearing his handwriting, nor do those bearing his handwriting include all the papers acknowledged to have been of his donation.

The presence of consecutive numbers on some of these documents makes it probable that they had been filed by numbers, and lists made of them. While the absence of most of the numbers which the sequence calls for makes it probable that Mr. Nichols did not find it in his discretion to cause the whole of the donation to be bound, as, in the discretion of the Publishing Committee, but a small fraction of the list of fifteen had been thought worth printing.

The mass contains some thirty papers printed in Hutchinson and a few in Hazard. It contains all of the Hutchinson papers printed in the Volume I., third series, under fifty-five titles, which are now known to be in existence. About half of these are not to be found. The fact already stated of the occurrence of a fire in the office of a member of the Publication Committee, at about the time when this volume was in press, affords perhaps the readiest explanation of their loss.

If there had been in the hands of the Society at the time of Bradford's gift a mass of unbound Hutchinson Papers, that gift might naturally have been merged therewith, and the records might be expected to bear witness to the fact. On the contrary, there is no allusion to the existence of a class of papers to which these could be referred. They were at once accepted and treated as a new accession to the Society's wealth. They were not dispersed or filed according to subject, authorship, or date, but were at once referred for publication, and Hutchinson papers were at once committed to a lately elected member for arrangement and binding. Up to the date of Bradford's gift, no proposition for the printing, no proposition for the binding of

Hutchinson papers had ever engaged the Society's attention. Fourteen members were then living who took part in its formation, or joined it as early as seventeen hundred and ninety-three.

Here, then, we have a mass of papers called into being by the gift of Bradford, put together, in its present shape, by the Society at that time, and treated by the Society from that time forward as a unit, and possessed of every known characteristic of the mass for which we are seeking. If it should appear that there were incorporated with this mass, in the binding, papers other than those given by Bradford, then the Society would be called upon to designate and reclaim such papers.

There is no ground for the belief that the Society ever had such papers which may have been so incorporated unless it be those described by Dr. Belknap in seventeen hundred and ninety-two as "originals of Hutchinson's collection." Record and tradition, catalogue and donation book, are alike silent on the existence of any others. A single mention of these originals in a memorandum of Dr. Belknap would not be ground for concluding that, if they are not now to be traced elsewhere, therefore they are incorporated in the bound volumes in question. The memorandum of Dr. Belknap covers forty-four items of manuscript in the Society's possession in seventeen hundred and ninety-two. A large part of these are not now to be found.

I suggest a possible explanation of the fate of these "originals."

The Honorable James Winthrop of Cambridge was one of five original promoters of the Society. He is spoken of in Dr. Palfrey's semi-centennial address as one who was "in possession of original historical materials thought to be of value," and he is uniformly treated as one from whom much was expected. These five gentlemen each invited a friend to join them; and the group of ten thus formed, recognized ever since as the founders of the Society, proceeded at an early day to present lists of the contributions each proposed to make to the common collection. Nine of these lists have been examined. Of these Mr. Winthrop's is distinguished for the paucity and comparative insignificance of its items, and for nothing else, unless the first item on it covers the same "originals" which form the first item on Dr. Belknap's memorandum made at the same period. As at first written, it contained a promise of pamphlets and four gifts, the second, third, and fourth of which were manuscripts. The first gift is entitled "Governor Hutchinson's collection of papers." If this gift was the printed volume of State Papers, sometimes called Hutchinson's third volume, then the Society started with two copies of that book, one of which was the contemporaneous gift of a founder, and received another copy by gift January twenty-seventh, eighteen hundred and seven. Neither catalogues nor records indicate such redundancy.

If, on the other hand, Judge Winthrop gave a volume of Hutchinson's originals, that fact explains the first item in Dr. Belknap's list of manuscripts in the Cabinet of the Society in seventeen hundred and ninety-two, as well as the paucity of Judge Winthrop's list. No other of the nine lists of early donations throws light upon this question. The tenth, that of Dr. Baylies, is wanting.

The early catalogues afford no help. But two were in print before eighteen hundred and twenty two-three, that of seventeen hundred and ninety-six and that of eighteen hundred and eleven. Neither these nor the various catalogues written out from time to time indicate the presence of this manuscript collection. Catalogues in those early days were made with the purpose of guiding members to the use of books kept for circulation on the shelves, rather than as an exhaustive inventory of the Society's hidden treasures.

Among the entries of books and manuscripts taken out, and it will be remembered that manuscripts could be taken out only by members of the Publication Committee, is the following under the name of Honorable James Savage:—

Oct. 27, 1825. Hutch. Hist. of Mass. Vol. 3. } *Lost in the fire.*
2d Vol. Winthrop's Hist. N. E., MS. }

The date of the fire in which perished the Treasurer's accounts from the foundation of the Society as well as the second volume of Winthrop's manuscript history, the nineteenth volume of the Trumbull manuscripts, and much valuable printed matter, was November tenth, eighteen hundred and twenty-five.

May first, eighteen hundred and twenty-six, six months after the disaster, in a letter to Honorable John Davis describing the Society's losses, and again, four months later, in his annual treasurer's report to the Society, August twenty-ninth, eighteen hundred and twenty-six, Mr. Savage speaks of the lost volume in identically the same words as "the Vol. of Hutchinson's curious collections." If these words were selected to convey a sense of irreparable loss lingering through a considerable interval of time in the mind of Mr. Savage, they would seem to be aptly chosen. But they do not apply so well to the destruction of a printed volume which a few weeks' time and a small sum of money might be expected to replace, and of which the Society had received three copies by gift in the first sixteen years of its existence, and has now two other copies given since eighteen hundred and fifty, and part of a third copy given in eighteen hundred and thirty-seven. Unfortunately the Belknap memorandum was not brought to the attention of the Society before Mr. Savage's memory had felt the touch of decay's effacing finger.

But, again, it is not impossible that these "originals," for we have no means of estimating their quantity, are all in existence to-day in the Cabinets of the Society. Besides the Winthrop copy of the Charter, which is the first paper printed in Hutchinson's collection, and some of the Higginson manuscripts which immediately follow it in that volume, the Society has, bound up with its miscellaneous manuscripts, a number of originals of letters printed in Hutchinson's collection, dated from sixteen hundred and thirty-nine to sixteen hundred and sixty-one, which, so far as I can learn, may all have been in its possession at the date of Dr. Belknap's list in seventeen hundred and ninety-two.

The controversy between the parties to this arbitration dates from

a letter written by Mr. Secretary Palfrey, January first, eighteen hundred and forty-six.

There were then continuing in the fellowship of the Society nine members who joined it before Bradford's gift in eighteen hundred and nineteen, and six others who joined it before August, eighteen hundred and twenty-three. One of them was the Honorable B. R. Nichols, and the latest survivor of them was the Honorable James Savage, whose membership began in eighteen hundred and thirteen, who was most familiar with the volumes bound by Mr. Nichols, as frequent traces of his handwriting attest, who was of the Publication Committee which culled them for printing, and who was present when Mr. Nichols was thanked for arranging them.

Mr. Bradford's membership covered the period between seventeen hundred and ninety-three and eighteen hundred and twenty.

The traditions of the Society have been unbroken from the beginning; and if any Hutchinson papers, previously in possession of the Society and derived from other sources, had been incorporated by Nichols into the three volumes in question, there were those in the Society in eighteen hundred and forty-six, when the whole mass was claimed by the State, and for some years thereafter, who could have established the fact, if they could not have designated the papers. These gentlemen, second to none in their anxiety to retain in the Society's hands by all honorable means the papers demanded by the State, if they could have designated any among the mass which they knew or believed to have been in the Society's Cabinet before eighteen hundred and nineteen, would gladly have done so. But they have not done so. And from the date of the State's claim down to the production of the Belknap memorandum twenty years later, no proof was adduced of the supposed existence of Hutchinson papers in the hands of the Society before Bradford's gift, which papers might have become incorporated therewith; but the claim of the Society in that behalf was purely conjectural.

I therefore find that the three volumes exhibited to me and lettered —

"HUTCHINSON'S PAPERS,"

Vol.	Vol.	Vol.
I.	II.	III.
1-162,	163-319,	320-466,

respectively, contain all the documents called the Hutchinson Papers, now known to be in the possession of the Massachusetts Historical Society, which are known to have come into its possession through the hands of Alden Bradford; that whatever else they contain, if any thing, having been voluntarily added by the Society with full knowledge of the facts, must be reclaimed by the Society; that said volumes are not proved to contain any Hutchinson papers which did not so come into its possession; that a very extended and thorough investigation has disclosed no reason for supposing that they contain any such papers derived from other sources; that the papers constituting those volumes

are sufficiently identified as being part, if not all, of the documents called the Hutchinson Papers received by the Society from Secretary Bradford; and that they should be surrendered to the Commonwealth in accordance with the terms of this arbitration.

Perhaps I need not add that no suspicion of intended wrong attaches to any person connected with this controversy, and that every possible facility and courtesy have been extended to me by the officers of the Historical Society in the prosecution of a laborious and somewhat delicate research.

ROBERT S. RANTOUL.

Mr. ELLIS AMES spoke of the insecurity of public papers in the archives of the State; and Mr. T. C. AMORY said he was impressed with the importance of a better system for the preservation of public documents in the archives of the State and of the nation, and he thought some recommendation should proceed from this Society for securing this object.

The Corresponding Secretary read letters of acceptance from Judge M. F. Force, of Cincinnati, and from Dr. J. G. Holland, of New York.

The President reported that the sum of \$1200 a year for three years had been subscribed by members for aiding the publication of the "Collections" of the Society on the conditions previously named; and he therefore nominated the following committees of publication: Messrs. Deane, Robbins, and Brooks, for a volume of Belknap Papers; Messrs. Adams, Frothingham, and W. Warren, for a volume of Revolutionary Papers. These to be followed by a volume of Winthrop Papers, to be prepared by the former committee on the Winthrop volumes, — viz., Messrs. Winthrop, Deane, Robbins, and Smith.

Voted, to confirm these nominations.

The President called attention to the fact noticed in a recent letter from Mr. Grigsby, that our Honorary Member, Horace Binney, had on the 4th instant entered upon his 95th year in good health.

He also read a letter from our associate, Mr. W. T. Davis, furnishing a list of volumes of the Society's publications wanted to complete the set in the library of the Pilgrim Society at Plymouth.

Voted, to supply the volumes wanting so far as they can be spared.

Mr. WATERSTON exhibited a beautiful English engraving, entitled the "Genius of Liberty."

Mr. APPLETON exhibited an engraved seal of Jamaica, and said: In July, 1862, Dr. John Appleton, Assistant Librarian,

communicated to the Society an account of the great seal of New England, under the government of Sir Edmund Andros. In a volume entitled "MEDALS, COINS, GREAT SEALS, AND OTHER WORKS OF THOMAS SIMON," may be seen an engraving of a seal, which probably suggested the design of the great seal of New England. It is a seal engraved by Simon, the chief medallic artist of the Commonwealth and reign of Charles II., for the island of Jamaica. It represents the king seated on his throne, and before him a kneeling negress, who offers the king a dish of pine-apples. In the air are three angels, instead of one, as in the seal of New England, in which latter also the king is standing. It seems, from the records printed in the Appendix, that this seal of Jamaica cost £70, and that Simon engraved "a large steel scale for Virginia, with his Majestie's arms in a garter, and the Imperiall crown, with this motto, 'JUDAT VIRGINIA QUINTUM,'" at the price of £20. The first word of the motto is, of course, a misprint for EN DAT.

The President communicated the following from his family papers:—

Oaths of Allegiance.

Yo^u. J. C., doe sweare faith and Allegiance to his Maj^{ty}. Charles y^e Second, as duty binds according to y^e word of God. And yo^u doe heereby acknowledge that the Pope, nor any other potentate hath pow^r or authority or iurisdiction in any of his Maj^{ty}'s dominions, and y^e only his Ma^{ty} our soverⁿ Lord King Charles hath under God, supreme power in his Ma^{ty}'s dominions. And I doe abhor y^e detestable opinion y^e the pope hath pow^r to Depose princes. And this I doe from my hart, soe help me God.

Indorsed,— "Copy of the oath of Alegiance w^{ch} M^r. Leete & M^r. Jones and M^r. Caner took at N. Haven. M^r. Crane took it in y^e presence of M^r. Jones May 7. 1666. M^r. Leete & M^r. Jones took it together May 8. 1666. at N. Haven."

Whereas those of the sea side plantations are remote frō those other Magistrates Impowred, I doe therfor heerby also Impowre M^r. Williā Jones and M^r. Jasper Crane and M^r. Samuell Shermā, and M^r. Nathan Gold to administer the oath of Obedience or Alegeance according to his Ma^{ty}'s Charter granted to this Colony of Conecticut in New England.

J. W.

Oct. 12. 1665.

Indorsed,— "Copy of the order to M^r. Jones & M^r. Gold for to give y^e oath of obedience."

Justices Oath.

You, A. B., Swear by the Name of the Everliveing God, that as Justice of the peace in the County of H. according to the Comiss^{ion}

Given you, you shall dispence Justice Equally and Impartially in all Cases, and doe Equal Right to the poor and to the Rich, according to your best Skill, and according to Law; and you shall nott bee off Councill in any Quarrell that shall come before you, You shall nott Lett, for Guift or other Cause, butt Well and Truly you shall doe your office of Justice of the peace, takeing only your appointed fees; and you shall nott direct, or Cause to bee directed, any Warrant (by you to bee made) to the partyes, butt you shall direct your Warrant to the Sherriffe, his under Sherriffe, or deputy, or other officers propper for the Execution of the Same in the County, or to some Indifferent person; and this you shall doe without favour or Respect of persons. So help you God, &c.

A True Coppy.

Test: ELEAZAR KIMBERLY, Sec̄ry.

HARTFORD, May 11th, 1699.

Indorsed, — "May 11th, 1699.

Justices Oath. — Coppy."

John Allyn to Governor John Winthrop.

HARTFORD, Feb. 18, 1675.

MUCH HONORD S^r, — Yours of the 12th of Feb. was receiued the 17th instant, with the notice Inclosed of sad Intelligence of slaughter & despoyle about Lancaster, Grougton, &c., which Threatens farther like devastations, If God prevent not; in order to which prevention, The prosecution ordered by the commissioners seems a needfull expedient, & for which we haue wayted & kept o' souldiers ready, & doe Intend, *deo volente*, not to fayle of meeting at place & time prefixed according to o' proportion, But cannot conceive what will become of so many horses, which cannot live as camelions, no more then men, & yet some cannot be wanted to carry some Baggage & for easement of some officers, or to carry off wounded men as we conceiue. we have seen the coppy sent to M^r Stanton to be so improved with Ninicraft, &c., as is mentioned, & haue wished something that way had beene sooner tryed with the Narragancets; upon tearmes honourable & safe for the future, of which we hinted o' thoughts to Gouverno^r Winsloe before; nor doe we now receed from those thoughts as is suggested to M^r Stanton, for his encouragement, in obseruance of yours now sent him: we purpose to send Indians a long allos, who have hitherto well approved themselves; but we have exhausted almost all the Trucking cloath, that is here to be had; doe therefore need some peices more, from Boston to be sent, wth ammunition, seeing they doe now seem to make war their Trade, & we are constrained to afford them supplies diuers wayes; & doe thinke they doe service to Christ & his gospell in this war, so farr as they approue themselves faythfull therein. May it not then deserue to receiue recompence upon the corporation acco^t, however some wayes or other it must be done, our sence of delay in prosecution, we signified in our last that is not yet com to your hand, Because our dayly expecting from the

commissioners made us linger in sending it; for what you haue engaged to M^r. Wharton in repayment we cannot deny, though pay is like to be difficult here, our rate being not sufficient to defray charges, & yet how th[ey can] be payd by many is hard to conceiue, for *ultra posse non est esse*, as you pleased to say in another case before, but we must lay o^r all at Gods foote & endeauour duty. & remayn

Hono^rd S^r, your affectionate freinds & seruants,

The councill of Conecticott p their order signed,

JOHN ALLYN, Sec^y.

These

For the Hon^{ble} JOHN WINTHROP, Esq.,
Governor of Conecticott, at Boston
this dd

Haat, haat, post haat,
For his Ma^{ties} special seruice.

Thomas Danforth to the Same.

CAMBR. 1. 6. 1672.

HON^d S^r, — Your loving lines by y^e hand of G^m* Rescues sonne I receiued, and am glad to see your care for o^r peace, and well wishes to the poore Colledge in its p^sent low estate therein breathing. I shall only give you this breife returne at p^sent. As for Dr. Hoare, He came over under some (though not severe) obligattion to y^e new church. Himselfe seemes to referr y^e matter to y^e Determination: yet do not in y^e least decline y^e motion made in behalfe of y^e colledge. but as his disposition of mind is thought to be y^e way, so also it is app^hended y^e he will be a better p^sid^t, y^e a pulpitt man (at least) as to vulg^r acceptation. yet I perceiue y^e ch^urch do not freely come of in y^e matter. nor do I app^hend y^e anything will be fully concluded on before y^e Gefall court meet. I had thought to haue added to a word referring to y^e Apologie for y^e Colonyes non-acceptance of y^e motion made to y^e selves in behalfe of y^e colledge, but y^e messeng^r staying I must for beare. yet give mee leave to intreate yo^r selfe to give one look upon it yo^rselfe, and according to yo^r wisdom & interest give them y^o owne app^hension faethfully & sincerly therein.

Hon^d S^r, I am greatly obliged to you (as in other respects) so also, & abundantly for yo^r great love, labo^r & costs for my deare sister, I thank you for yo^r kind intimation of love & respect touching her. I bless y^e Lord for her. I haue not now time to write p^ticularly to her but in case shee be not gone home I pray p^sent my love to her. And if you or yo^rs haue any service for mee y^e I am capeable of, spare me not. I shall acc^t it not only duty but an opportunity to repay some p^t of her debt to your wor^d. with my humble service to yo^r self & Mrs. Winthrop, I take leave,

Hond. S^r, to subscribe my self

Yo^rs wher I may,

THOMAS DANFORTH.

S^r, let mee intreat you if y^e be any thing to be done for Mr. Corletts daughter as to cure of her distemp^d sp^s, y^e you will pity both

* Goodman.

her & her poore parents ther, and w^t ever you do let her not come again in this condition shee is now: for shee will most c^teinly be y^e death of her Parents; but rather let her be handed to y^e old man on y^e Iland, for y^e benefit of his govern^t to be extended to her.

Dr. HOPPIN inquired if the portrait said to be that of Charles Chauncy, the second President of the College, in the collection belonging to Harvard College, was really known to be authentic. He had some doubts about it. No one present could satisfy his doubts.

FEBRUARY MEETING, 1874.

A stated meeting was held on Thursday, the 12th instant, at 11 o'clock A.M.; the President in the chair.

The Recording Secretary read the record of the preceding meeting.

The Librarian read the list of donors to the Library for the month past.

The Corresponding Secretary read a letter of acceptance from Edward A. Freeman, D.C.L., of England, elected an Honorary Member at the September meeting.

The Recording Secretary presented, in the name of the author, the "Memorial of Thomas Potts, Junior, who settled in Pennsylvania, with an historic-genealogical account of his descendants to the eighth generation. By Mrs. Thomas Potts James. Cambridge: privately printed. 1874." 416 pp. 4to, — for which the thanks of the Society were voted.

The President presented, in the name of the author, the "Life and Correspondence of Samuel Johnson, D.D., Missionary of the Church of England in Connecticut, and first President of King's College, New York. By E. Edwards Beardsley, D.D., Rector of St. Thomas's Church, New Haven." New York: 1874, — for which the thanks of the Society were ordered.

The President then said: —

Happening to observe, in one of our daily papers, an account of a little story book, published at Christmas, entitled "Fanny St. John," I found, on turning to it at the bookstore, that it contained what purports to be the history of the family of

Hector St. John de Crevecoeur, a French gentleman, long resident in this country, who made himself known by several literary works. He was the author of "Letters from an American Farmer," published in Philadelphia in 1794, and of a work in three volumes printed in Paris in 1801, entitled "Voyage dans la haute Pennsylvanie par un membre adoptif de la Nation Oneida." The story of his children, as given in the little book, is a very touching and romantic one; and they seem to have owed their preservation to Mr. Gustavus Fellowes, of a well-known family of Boston or the vicinity, by whose granddaughter the book was written. M. de Crevecoeur was born in Caen, Normandy, in 1731, and emigrated to America in 1754. He returned finally to France (after having been Consul at New York in 1783), and died there in 1813. Among the Bowdoin papers, in my possession, I have found four of his letters to Governor Bowdoin, which are not without interest, and which I submit to the consideration of our Publishing Committee.

CAEN, LOWER NORMANDY, 1st July, 1786.

I hope your excellency has Received the Books I sent by M^r Barret, who was to sail from Lorient the latter end of February. I flatter myself they will be useful. I embrace the favourable opportunity of the bearer hereof Mr. Philip Déjean, a Gentleman much esteemed by the Good Marquis de la Fayette, to recall me to your excellency's remembrance, & to beg for him your Kind Protection & Countenance. We had Solicited for him the Agency of Georgia, from whence we had conceived hope our Gouv^t wou'd draw a considerable quantity of life Oak; but the Influence of the Northern contractors from Russia & Sweden have oversat all our schemes. He has resided in Canada 32 years, 18 of which he has spent at De'troit. He proposes to live some Time in your Town.

Will your Excellency be pleased to remember the differ^t Seeds of artificial Grasses I sent you some Time before I left New York. I hope they have fructified, that their use is now better known. They most certainly are of y^e Greatest Importance in Husbandry. I have desired M^r Déjean to examine those fields here which are covered with them, that after having been an ocular Witness of the vast quantities of Fodder they bring forth, he may more particularly explain it to your Excellency. I have desired him to deliver you a small quantity of the same Seeds, that in case of any accident these useful Tryals may be renew'd. Next fall I will send you a more compleat assortment & a Greater quantity, many not being Ripe. I beg your Excellency Wou'd receive them as a Token of my Earnest desire of Introducing that Important Branch of Rural Improvement into the State of Massachusetts.

I refer your Excellency to the Imperfect Instructions I have Printed in the New York Gazette, a copy of which I sent together

with the first Envoy of Seeds. I am now Employed in the Second Edition of the "A Farmer's Letters," to which a 3^d vol. will be added. I flatter myself your Excellency will be pleased to accept a copy of them as a Proof of y^e unfeigned Esteem & Respect wherewith I have the Honor of subscribing myself

Your Excellency's most obedient & very Humble Serv^t,

ST. JOHN DE CREVECEUR.

P.S. — Distant as I am Just now from my dearly beloved Daughter Fanny, who lives at M^r Gustavus Fellowes, & whom your excellency may perhaps Know, has received, as well as my son Lewis, from that Gentleman so wonderfull a series of Hospitality & Kindness, wou'd your Excellency Permit a Father, who lives but for the happiness of his dear children, To Implore & to beg your Kind Patronage & Protection. She wants for nothing; she enjoys the Friendship of the House & of her worthy adoptive Mother; but accidents may happen, & my anxiety makes me wish she shou'd be known To your Excellency, & Protected in case of Misfortune.

His Excellency Gov^r. BOWDOIN.

At GUSTAVUS FELLOWES'S.

PARIS, 21st Oct^r. 1786.

I have duly received your Excellency's letter by M^r Barret, but not as yet the Bundle of Papers & Pamphlets mentioned in it; it has been put on board a Vessel laden with oyl along with several Trunks of his, & she is not yet arrived at Rouën, having been prevented entering the channel by the long and dreadful Equinoxial Gales we have been afflicted with these Three weeks. The 1st vol. of your Society's Memoirs is expected here with Impatience by several Persons who greatly Interest themselves in the Progress of usefull science through out The world.

I am much obliged, your Excellency, for the learned discourse you Pronounced last year at the opening of the academy: many of my friends as well as I have perused it with great pleasure, wondering that y^e Governor of a great state shou'd possess Learning & have sufficient leisure to enter into the depth of such an Investigation. The Good Marquis and every well-wisher to America are constantly employed in procuring the Trade of your Country every advantage it stands in need of. We hope for the success of their Endeavors; but, on the part of America, great Care must be Taken that none but the best articles shou'd be sent. Whilst we were pleading for the Introduction of your Marts a most wretched Cargo is arrived, which has greatly cooled The Minister, and, as if that was not enough, The Commandant of Brest has Informed him that "The America" was falling to Pieces, and that in Two years she would not be in a condition To hold herself above water, even at her Moorings. I have desired Mr. Barret to write me a Letter on that subject, and minutely to explain how she had been built.

Your country ought to abound with butter, cheese, Hams, Gamons, of an excellent kind; if your people cou'd be brought to feel the

necessity of giving those Articles all the Perfection they are susceptible of, they would sell very well here, and in great quantities. Could not the society your Excellency so worthily presides Publish Instructions on that subject, & offer such Incourag^m & Premiums as would open your People's eyes, & rouse their Industry.

A second Edition of the A. F.'s letters, with a 3d vol., will soon appear, of which I shall not fail to send your Excellency an Exemplary, To whom I expect personally to present in June next the unfeigned Respect and consideration wherewith I have the Honor to be

Your Excellency's

Most Humble Servant,

ST JOHN DE CREVECEUR.

To His Excellency

JAMES BOWDOIN, Esq^r,

Governor of the State of Massachusetts Bay,
Boston.

PARIS, 3^d Feb^y 1787.

SIR,—I have received by Captⁿ Coffin the first vol. of your Transactions as well as Sundry other Pamphlets, for which I return you my sincere & hearty Thanks; in return give me Leave to send you a small Book Printed on a new Invented Paper made with the bark of Tileul—a specie of y^e Linden Tree—at the end of which you'll find also several specimens of other papers made with a variety of Roots, Plants, & Barks, and three Sheets with Woollen rags. The Inventor is but just beginning these useful Experiments, & hopes to find out the art of converting into paper every specie of vegetable, & whitening his work with vitriolick acid. I wish these Samples may urge your Paper-makers at Milton To make some Tryals, which, in a country where Rags are so scarce, cannot but be very Important, either for Paste board, Sheathing of Vessels, wrapping of Sugar, &c. Inclosed you'll find also a Letter from M^r de Warville, The Litterary Person I introduced to your acquaintance last year. Yesterday we had a great meeting at the duke of Harcourt's about obtaining the freedom of Honfleur, which Mess^{rs} Barret & Coffin assisted. Our demand is so Powerfully supported that we are in hopes of obtaining it. Captⁿ Coffin, who put in there, will best Inform you with all The advantages which are likely to result from its scituation To the American Trade. I have been Encouraged To apply To that Duke, on account of his great Kindness for me as well as on that of the Power & Influence he had at Court. I am, with unfeigned Esteem & Respect,

Sir, your very Humble Servant,

ST JOHN DE CREVECEUR.

His Excellency Governor BOWDOIN.

NEW YORK, 26th August, 1788.

SIR,—I am much obliged to you for the book you have sent me, the history of the late Insurrection of part of your State, in the quel-

ling of which you have had so eminent a share by your prudence, firmness, & activity; it is elegantly wrote; this work is a manifest proof of the improved & advanced state of society in America. The account of that effervency, that abuse of freedom degenerated into outrageous licentiousness, may become very useful in a Country like this, where most men read & think for themselves. I hope it will serve to convince your people how difficult it is to organize by dint of reason alone, & to establish & maintain without force a form of government which may be acceptable to the inhabitants of so large & extensive a territory, the interests of which are so unavoidably various & opposite.

I anxiously long for the first Session of Congress, in order to see whether the amending States will have sufficient influence to alter the new Constitution ere its effects have been felt; 'tis high time this long Inter-regnum shoud' be at an end, & be succeeded by coercitive & uniform laws.

I have the Honor to be, with unfeigned esteem & respect,
Your Excellency's Most Obedient humble Servant,
ST JOHN DE CREVECEUR.

P.S.—I saw Lady Temple a few days ago; she was in perfect health, as well as your grand daughter Augusta: as for St John, no man can enjoy a greater degree of it.

His Excellency JAMES BOWDOIN, Esq.

The President read a letter from our Corresponding Member, Mr. C. J. Hoadly, in which he said he had sent to the Society a copy of vol. 8 of the Colonial Records of Connecticut. He also said he was preparing for publication Gershom Bulkeley's book called "Will and Doom," written in 1692; and he made inquiry for two pamphlets referred to in that work, which he thought had never been printed.

On application of the President, the use of the engraved plate containing the portrait of the late George Peabody was granted to the Peabody Educational Fund.

On motion of Dr. Ellis, leave was granted to the Rev. Mr. Foote, pastor of King's Chapel, to copy some parts of the diary of Judge Sewall.

Count Achille de Rochambeau was elected a Corresponding Member.

Mr. TUTTLE communicated the following particulars relating to Edward Randolph and his family:—

Edward Randolph holds so conspicuous and so important a place in our colonial history that any thing concerning him is worthy of consideration, especially if new. It is surprising, in view of the extent of our historical inquiries, that the arch-

enemy of Puritanism in all its aspects, the prime mover and the actual abettor of the overthrow of the first political and ecclesiastical establishments of New England, should have excited so little interest and be so little known. Measured simply by the results of his own undertakings, Edward Randolph is justly entitled to rank among the most remarkable men of his time. In that dramatic period of our history which embraces the closing scenes of the life of the first charter, he is the central figure and the chief actor, — not inaptly called the destroying angel. His public acts are memorable, and they form the chief interest in the history of that time.

His career in New England may be characterized as meteoric in many respects: it certainly is without parallel in our history. He came suddenly into public view from beyond the Atlantic, the unwelcome bearer of a royal message having a menacing aspect, at a time when the colonies were in a death-struggle with the Indian enemy. For a period of thirteen years he was regarded by our fathers as the most baleful and malignant luminary that ever appeared in the political skies of New England. His name was a synonyme for something dreadful; and his fame — an ill one it was — extended to all the colonies. On the records of that age no name is branded by writers with so many, so varied, and so strongly denunciative epithets as that of Edward Randolph. It is but just to his memory to say that his excessive zeal for the interests of the Crown and for the Church of England, his undaunted courage and uncompromising spirit, were the chief causes of his great unpopularity.

Whence he came, or whither he went, has hardly been thought worthy of inquiry by our antiquaries, in a period of two centuries. His history, so far as known, begins and ends with his career in New England. Dr. Palfrey, who looked after many neglected worthies of our colonial times, as his *History* attests, made special search in the archives of England for some new light on the career of Randolph, but without success.

While collecting materials for my projected *Life of Captain John Mason*, patentee of New Hampshire, I noticed, in letters of Robert Mason, grandson of Captain Mason, and also in letters of Edward Randolph, expressions indicating some degree of relationship between them. Following up this hint, I came to the origin and parentage of Randolph himself, — singularly enough in the first Christian city and spiritual metropolis of England. He was the son of Edmund Randolph, Doctor of Physic, of the city of Canterbury. His mother was the daugh-

ter of Giles Master, of the same city. Both parents were of gentle lineage, and of high character and standing. Edward Randolph married Jane Gibbon, of West Cliff in the county of Kent. Her brother, Richard Gibbon, Doctor of Physic, married Anne Tufton, the sister of Robert Mason. It is proper to observe that Robert Mason, alias Tufton, assumed the surname Mason to inherit his grandfather Mason's estate in New England.

Upon the death of his wife in 1679, Randolph again came to New England, bringing his family, designing, it would seem, to remain here permanently. He had been appointed by the Commissioners of Customs Collector of Customs in New England. Having other public employments, he appointed his brother Gyles deputy in this office. The latter soon after died, and he appointed another brother, Bernard, to this place. Bernard Randolph was an author of considerable note in his time.

In 1691, Edward Randolph was appointed Surveyor-General of Customs in all the English Provinces in North America. This fact shows that he was recognized as an able and faithful officer by the English Government.

Dr. ELLIS spoke of the value of the Pickering Papers recently presented to the Society, and paid an appreciative tribute to the labors of our associate, Mr. Upham, in completing the Memoir of Timothy Pickering.

The Recording Secretary, Mr. DEANE, communicated the following memorandum relating to the death of Mathew Cradock:—

In the Proceedings of this Society for November, 1871, I submitted a statement of reasons for believing that Mathew Cradock, the first Governor of the Massachusetts Company, must have died between the 14th and 28th of May, 1641, and intimated that it must have occurred near the last-named date. Since that statement has appeared in print, my attention has been called by an antiquarian friend* to the "Obituary of Richard Smith," published by the Camden Society in 1849, "being a catalogue of all such persons as he knew in their life, from A.D. 1627 to A.D. 1674." In this record is given the exact time of Cradock's death. Under date of May 27, 1641, we read,— "Math. Cradock, merchant, one of the Members of Parliament for y^e City of London, died."† This happily confirms my conjecture, and it is satisfactory to have the exact date.

* John Ward Dean, Esq.

† This entry had been already copied into the New England Historical and Genealogical Register for Oct. 1857.— C. D.

Mr. Brooks presented, in the name of Mr. A. H. Safford, of Cambridge, a pen-and-ink sketch of Washington, executed by J. Hiller, Jr., in 1794. Mr. Safford's belief was that the miniature was presented by General Washington to Captain Thomas Hartshorn, of Reading, who died in 1819. It had been in Mr. Safford's possession for over fifty years, he having been a foster-son of Captain Hartshorn. The drawing is sketched on the back of a playing card, — the ten of diamonds: the name of "George Washington" is inscribed on a scroll beneath the picture, and beneath the oval in which the picture is enclosed is "J. Hiller, Jr., scrip. [or sculp.] 1794." From subsequent inquiries, Mr. Brooks had ascertained that there had been published in 1851, in Boston, a portrait of Washington, purporting to be engraved from the original sketch by a young artist by the name of Fullerton, taken from life in 1776, — which greatly resembles this sketch of Hiller's, and that probably Hiller's sketch was made from Fullerton's original.

Mr. Safford also presented a miniature in profile of Captain Hartshorn, and some letters written from the army during the Revolutionary War, — one of which, written by Colonel John Brooks "from the Camp, near Valley Forge, January 5, 1778," Mr. Brooks read to the meeting. It is given below: —

CAMP NEAR VALLEY FORGE, JAN^y 5th, 1778.

DEAR SIR, — With high satisfaction I received your's of the 14th ultimo; but feel myself very unhappy that my last should give you any disagreeable feelings. It was far from my intention. A Vindication of myself (not with so much seriousness as you imagine) was my design. But, concluding it will be more pleasing to you, I will change the Subject.

You make me smile when you observe that you are not so *sanguine* about matters in this quarter at present as you were. My dear friend, what ever made you sanguine? Could How's marching through a vast extent of country — a country very well formed for defence; could the Action at Brandywine, at which time Gen^l Washington's Army was entirely routed for that day, with as great loss, *at least*, as ever was published; could the Germantown Affair, in which our army were again broke, dispersed, and persued for more than ten miles from the place of the first attack, with the loss of more than one thousand men; in short, could a large superiority of number on the side of Mr How through the whole campaign, and in consequence thereof, his being able to go to what point he pleased, I ask, could any of these make you sanguine? Even now, since the northern troops have joined, How's army is the largest, which is now some above ten thousand, ours not eight thousand.

With respect to the clothing, &c., &c., of our army, believe it, Sir, to be bad enough. Ever since our march from Albany our men have

been suffering all the inconveniences of an inclement season, and a want of cloathing. For a week past we have had snow, and as cold weather as I almost ever knew at home. To see our poor brave fellows living in tents, bare-footed, bare-legged, bare-breeched, &c., &c., in snow, in rain, on marches, in camp, and on duty, without being able to supply their wants is really distressing. Where the fault is I know not, but am rather inclined to think our General Court has not done every thing that might be expected of them. If it be for want of foresight in our rulers, the Lord pity us. But if it be through negligence or design, "is there not some chosen curse" reserved for those who are cause of so much misery? Another thing which has been the occasion of much complaint is the unequal distribution and scanty allowance of provisions. For the former of these the Commissary's are accountable. The cursed Quakers and other inhabitants are the cause of the latter. But those difficulties are at an end. Large supplies of provisions from N. England (which on account of the critical situation of affairs has been stopped till now) are now coming into Camp. Another ground of uneasiness among our troops (the north?) is the want of money. Our Regiment has never received but two months pay for twelve months past. This difficulty I hope will soon be over. I have mentioned these particulars not to sink your spirits, but just to give you a small Idea of a soldier's life. Under all those disadvantages no men ever shew more spirit or prudence than ours. In my opinion nothing but Virtue has kept our Army together through this campaign. There has been that great Principle, the Love of our Country, which first called us into the field, and that only to influence us. But this will not last always: Some other motives must co-operate with this in order to keep an Army together any length of time. Upon the same principle that we love our country we love ourselves. It must be for the private interest of officers, at least, to continue in the service any considerable time: And without having an experienced you cannot have a respectable army; and without a respectable you cannot have a good army. I know of no reason why one part the community should sacrifice their all for the good of it, while the rest are filling their Coffers. We [have] this consolation, however, that it cannot be said that we are bought or bribed into the service. Those officers who can keep out of debt, especially those who have considerable families, this year may with propriety be called good husbands.

The above intelligence with respect to How's and the American Army will help you to account for the loss of Philadelphia, the forts on the Delaware, &c., &c. I assure you those events have not been lost for want of spirit, but numbers. As to my observations with respect to the situation of the Army at present, and their future prospects, I have made them at your desire and for your speculation. As to another campaign, I can form no judgment about it. How Congress will augment their force is not public. By the inactivity of the States it seems as if they chose to prolong the war. The States of Pennsylvania and Maryland do not seem to have any more idea of liberty than

a Savage has of civilization. In general they have not been able to feel themselves interested in this controversey. They have ever suppos'd ('till wofull experience taught them otherwise) that the King's troops were as kind, mercifull, and just as they represented themselves to be. But now the tone is altering fast. Even some of the *Thees* and *Thous*, who have had their wives ravished, houses plundered and burned, are now ready, on any party's making a sally from the City, to take their Arms and oppose them. Last winter How made the Jersey's the best of Whigs. I hope all will be converted in these States this [Winter]; and that next Summer the whole Continent will feel their importance and exert that small part of her strength which, when duly applied, will be sufficient to hurl all the How's in the Universe into atoms. What would have been the situation of New England at this moment had they shown the same disposition towards Gen^l Burgoyne which the cringing, non-resisting, Ass-like fools of this State have done towards How? The chains of British Slavery would have been unalterably fixed: and instead of adressing you at this time as a Freeman, I should have expressed my friendship to a slave. Oh! horrid Thought! To be a Slave! Oh! base Idea first conceived in hell!

"Do thou, great Liberty! inspire our Souls,
And make our Lives in thy possession happy,
Or Our Deaths glorious in thy just Defence!"

But I have already too far trespassed on your patience. I have really far exceeded the bounds of a common letter, and hardly know what to say for myself. I am much inclined to write another letter, but upon second thought I hope your good nature will excuse this upon promise of future decency.

I intended at first to have given you an account of our hutting ourselves, &c., but matters of a more interesting nature keeping upmost in my mind till this moment, I am obliged to omit it. M^r Hartshorn, I hope, will give you the particulars.

After wishing you every Blessing you wish, am with the greatest Respects and Esteem, Sir,

Your Friend and H^o Serv^t,

JN^o BROOKS.

P.S. — Notwithstanding my prolixity, I must congratulate you on the Success of Gen^l Smallwood. A few Days since a Brig, as she was going from N. York to Philadelphia up the Delaware, was met with a Body of Ice w^h drove her ashore, which the Gen^l observing sent his Division with 4 light field-pieces, and upon receiving two shot surrendered. Exclusive of the Crew, 75 British Troops & 32 officers' wives, alias whores, she had on board large Quantities of Spirits, Wine, Porter, Officers' Baggage, 1800 Suits of Cloaths, 1500 Stand Arms, Linnens, &c., &c. Several other Vessells have shar'd the same fate. Yesterday one laden with 300 Barrells Provisions was captur'd the same Way. Gen^l Smallwood with his two Brigades are Station'd at & near Wilmington, below Philadelphia.

The thanks of the Society were ordered for these gifts.

The Cabinet-keeper announced as gifts to the Cabinet two photographs of the "burnt district" in Boston, printed in carbon, by the artists, Allen & Rowell.

SOCIAL MEETING, FEBRUARY 26, 1874.

A Social Meeting of the Society was held on the evening of the 26th February, at the house of Mr. WILLIAM AMORY, in Beacon Street; the President in the chair.

The meeting was called to order at 8 o'clock, and the President spoke as follows:—

Meeting to-night at the house of the brother-in-law of PRES-COTT, from whom we have recently received the Noctograph used by that charming historian in writing, and some of the autograph manuscripts which it helped him to write, nothing could be more opportune than the return of these precious memorials from the case-maker to whom they were intrusted, just in season to be exhibited to the Society in the shape in which they have been prepared for our cabinet. They have been arranged under the direction of our Recording Secretary and Librarian, at the request and at the cost of Mr. Amory, and a statement to that effect has been inscribed on the case. Our grateful acknowledgments of the gift have been already returned by order of the Society.

The following letter of Mr. Prescott, communicated by Dr. Ellis, describes his manner of using the "Noctograph," and is no less interesting for the additional particulars it furnishes as to his methods of study induced by his comparative loss of sight:—

Boston, June 1st, 1857.

MY DEAR MR. ELLIS,—I hope I have not abused your patience in delaying so long to give you the information which you desired respecting the *modus operandi* in my historical composition. My defective eyesight has rendered it somewhat peculiar. But I suspect most of the peculiarities have been already noticed by me on other occasions.

I suppose you are aware that when in college I received a blow on the eye which deprived me of the use of it for reading and writing.

An injudicious use of the other eye, on which the burden of my studies was now wholly thrown, brought on a rheumatic inflammation, which deprived me entirely of sight for some weeks. When this was restored, the eye remained in too irritable a state to be employed in reading for several years. I consequently abandoned the study of the law, on which I had entered; and, as a man must find something to do, I determined to devote myself to letters, in which independent career I could regulate my own hours with reference to what my sight might enable me to accomplish.

I had early conceived a strong passion for historical writing, to which, perhaps, the reading of Gibbon's *Autobiography* contributed not a little. I proposed to make myself an historian in the best sense of the term, and hoped to produce something that posterity would not willingly let die. In a memorandum book, as far back as the year 1819, I find this desire intimated; and I proposed to devote ten years of my life to the study of ancient and modern literatures, — chiefly the latter, — and to give ten years more to some historical work. I have had the good fortune to accomplish this design pretty nearly within the limits assigned. In the Christmas of 1837 my first work, the *History of Ferdinand and Isabella*, was given to the public.

During my preliminary studies in the field of general literature, my eyes gradually acquired so much strength that I was enabled to use them many hours of the day. The result of my studies at this time I was in the habit of giving in the form of essays in public journals, chiefly in the "*North American*," from which a number — quite large enough — have been transferred to a separate volume of *Miscellanies*. Having settled on a subject for a particular history, I lost no time in collecting the materials, for which I had some peculiar advantages. But just before these materials arrived, my eye had experienced so severe a strain that I enjoyed no use of it again for reading for several years. It has, indeed, never since fully recovered its strength, nor have I ever ventured to use it again by candlelight. I well remember the blank despair which I felt when my literary treasures arrived from Spain, and I saw the mine of wealth lying around me which I was forbidden to explore. I determined to see what could be done with the eyes of another. I remembered that Johnson had said, in reference to Milton, that the great poet had abandoned his projected *History of England*, finding it scarcely possible for a man without eyes to pursue an historical work requiring reference to various authorities. This remark piqued me to make the attempt.

I obtained the services of a reader, who knew no language but his own. I taught him to pronounce the Castilian in a manner suited, I suspect, much more to my ear than to that of a Spaniard; and we began our wearisome journey through Mariana's noble history. I cannot even now call to mind without a smile the tedious hours in which, seated under some old trees on my country residence, we pursued our slow and melancholy way over pages which afforded no glimmering of light to him, and from which the light came dimly struggling to me through a half intelligible vocabulary. But in a few weeks the light

became stronger, and I was cheered by the consciousness of my own improvement; and when we had toiled our way through seven quartos, I found I could understand the book when read about two-thirds as fast as ordinary English. My reader's office required the more patience of the two. He had not even this result to cheer him in his labor.

I now felt that the great difficulty could be overcome; and I obtained the services of a reader whose acquaintance with modern and ancient tongues supplied, as far as it could be supplied, the deficiency of eyesight on my part. But, though in this way I could examine various authorities, it was not easy to arrange in my mind the results of my reading drawn from different and often contradictory accounts. To do this, I dictated copious notes as I went along; and when I had read enough for a chapter,—from thirty to forty, or sometimes fifty pages in length,—I had a mass of memoranda in my own language, which would easily bring before me at one view the fruits of my researches. These notes were carefully read to me; and, while my recent studies were fresh in my recollection, I ran over the whole of my intended chapter in my mind. This process I repeated at least half a dozen times; so that when I finally put my pen to paper, it ran off pretty glibly, for it was an effort of memory rather than creation. This method had the advantage of saving me from the perplexity of frequently referring to the scattered passages in the originals, and it enabled me to make the corrections in my own mind which are usually made in the MS., and which, with my mode of writing, as I shall explain, would have much embarrassed me. Yet I must admit that this method of composition, when the chapter was very long, was somewhat too heavy a strain on the memory to be altogether commended.

Writing presented me a difficulty even greater than reading. Thierry, the famous blind historian of the Norman Conquest, advised me to cultivate dictation; but I have usually preferred a substitute that I found in a writing-case made for the blind, which I procured in London forty years since. It is a simple apparatus, often described by me for the benefit of persons whose vision is imperfect. It consists of a frame of the size of a sheet of paper, traversed by brass wires, as many as lines are wanted on the page, and with a sheet of carbonated paper, such as is used for getting duplicates, pasted on the reverse side. With an ivory or agate stylus, the writer traces his characters between the wires on the carbonated sheet, making indelible marks, which he cannot see, on the white page below. This tread-mill operation has its defects; and I have repeatedly supposed I had accomplished a good page, and was proceeding in all the glow of composition to go ahead, when I found I had forgotten to insert a sheet of my writing paper below, that my labor had all been thrown away, and that the leaf looked as blank as myself. Notwithstanding these and other whimsical distresses of the kind, I have found my writing-case my best friend in my lonely hours; and with it I have written nearly all that I have sent into the world the last forty years.

The manuscript thus written and deciphered—for it was in the nature of hieroglyphics—by my secretary was then read to me for

corrections, and copied off in a fair hand for the printer. All this, it may be thought, was rather a slow process, requiring the virtue of patience in all the parties concerned. But in time my eyes improved again. Before I had finished "Ferdinand and Isabella," I could use them some hours every day. And thus they have continued till within a few years, though subject to occasional interruptions, sometimes of weeks, and sometimes of months, when I could not look at a book. And this circumstance, as well as habit, — second nature, — has led me to adhere still to my early method of composition. Of late years I have suffered, not so much from irritability of the eye as dimness of the vision; and the warning comes that the time is not far distant when I must rely exclusively on the eyes of another for the prosecution of my studies. Perhaps it should be received as a warning that it is time to close them altogether.

But I have inflicted on you enough of my egotism — quite enough, I imagine, to make you repent having shown any curiosity respecting my method of composition.

With much regard, I remain, dear Mr. Ellis,

Very truly yours,

WM. H. PRESCOTT.

The President then said that he had brought with him a few little scraps from his family papers, which might serve to amuse the Society for a few moments, before he called on the gentleman who was relied on for the principal contribution of the evening.

Here are two brief accounts of journeys, one by land and one by sea, a century and a half ago, which may help us to appreciate the comforts and the speed of modern travel, and may preserve the record of the origin of some local names in Connecticut: —

*Mem. of a Journey from New London to Boston, by John Winthrop.**

July y° 1704. Being Wednesday about Noone y° Unwellcome Newes of my Aunt Richards's Death at Boston was brought us up to

* The writer of this MS. was John Winthrop (son of Wait-Still), born 26 August, 1681. The road over which he and his father and sister travelled to Boston was the usual route at that time, over the Paucatuck River at Westerly, thence along the eastern part of the Narraganset country, thence through Dedham to Boston, the same which was travelled by Madam Knight a few months later in the same year. The reference to "Elizabeth's Spring" reminds us of a passage in a letter of Roger Williams to John Winthrop, Jr., dated "From Mr. Richard Smiths [in Wickford], June 13, 1675:" "Sir, — I constantly think of you, and send up one remembrance to heaven for you, and a groan from myself for myself, when I pass Elizabeth's Spring. Here is the spring, say I (with a sigh), but where is Elizabeth? My charity answers, she is gone to the Eternal Spring and Fountain of living Waters," &c. Elizabeth Winthrop, the "grandmother" of the writer, was the wife of John Winthrop, Jr., and daughter of Edmund Read, of Wickford, County of Essex, England. She died 24 Nov., 1672. — Eds.

New London. Y^e Next Day my Father & my Sister went wth me towards Boston, & w^h we had gott to y^e Entrance of y^e Narraganset Country I was taken very Ill & was forct to stop at a poor Cottage, w^h we Lay on y^e floor all Nigt. It was an Extreem Hot Season. w^h quite overcome me. In y^e Morning, being pretty well again. After Having received a Visitt from Ninicraft, y^e Sachem of y^e Country. we stood along, Breakfasted at an Inn 4 Miles off, kept by one Cap^t Dible. After we had Baited o^r Horses, kept along, came to Wickford about Noone. It being very Hott, we stopt Here till Munday, w^h In y^e Morning Early, just as y^e Day Broke, we set out, came to Elizabeths Spring at Sun Rise, a place so called from my Granmothers Drinking at it in her travels up to Connecticut in y^e Begining of y^e Country. It Issues out under y^e Banck of y^e Cove at y^e Root of a Large chestnutt tree. Wickford also had its name from her, it Being y^e place of Her Nativity in old England. Got to y^e House of old Woodcocks, now Inhabited by one Slack, at Attleberry, w^h we stopt y^e Heat of y^e Day Lay downe & slept some Hours; went to Diner here. Sun about an Hour & halfe High, mounted & got to Billings's Inn just at Sun Sett, w^h we Log'd y^e Night. Y^e Next Morning sett out & got to Boston, w^h we had a sorrowfull meeting with o^r Relations, some of y^e family Being just before Dead, &c.; viz., Aunt Richards & Cousin Ann Wharton.

*Mem. of a Voyage from Boston to London, by John Still Winthrop.**

March the 16th, 1742. I Saild from Boston, in New England, on board the John Galley, Cap^t Andrew Craigie, bound for London in Great Brittain, in Company with M^r Auchmuty & Son and M^r Walker. Three Days after we Left Said Port our Ship Proved Leakey, to our great Surprise; and on the 7 day, near the bank of Newfound Land, we had a violent Storm and two foot Water in our Ships Hole; both our Pumps Constantly going, and being very weake Handed, we Began almost to dispare, thinking our Selves in Eminent Danger, but by the Good Providence of God the Storm abated and our Ship Ceased Leaking, so that we were able to free her with one Pump only, to our Inexpresable Joy. On the Laste day of said month we had another Storme, but not so violent as the former. We were desined to goe North, about Scotland; but our ship Proved more Leakey than ever, which obliged us to bare away for the Channell of England, and being favoured with fair winds we arrived safe at Dartmouth on the 13th day of April, to our unspeakable joy and satisfaction, where we lay Wind-bound five days. Dartmouth is a Small Town Situated at the foot of a Large mountain. They have a good harbor for ships, but the Entrance is very narrow, at which is an old Battery that mounts 12 Guns, &c. It is the most Romantick Place I Ever saw; but the People are not very Sevill to Strangers. From thence we Saild to

* The writer was John Still Winthrop (son of the John Winthrop mentioned above), who was born at New London, 15 January, 1720, and graduated in Yale College in 1737. — Eds.

Dover, a much Larger Place then the other, where is a very ancient Castle on the top of a Large Chaulkey Hill, in which is the Biggest Cannon and the Deepest well in Europe, &c. Here we Left the Ship and took Coach for London. We traveled thr^o Canterbury, a City in which is an old Cathedral Church, where Lies King Hen. 8th and also the black Prince in armour, and maney curious Statues, &c., and on the 27th day of April we arrived Safe at London, &c., and, being much tired with our Journey, were obliged to Lodge at the Spread Eagle, in Grations Street, a most miserable Lodging Indeed.

The President also communicated the following papers from the family of the Boston patriot, Paul Revere:—

Paul Revere to his Wife.

[RHODE ISLAND, August, 1778.]

MY DEAR GIRL,*—Your very agreeable letter came safe to hand, since which I have wrote, but received no answer. I believe you are better: what a *pleasure* to hear! Pray take care of yourself & my little ones. I hoped ere this to have been in Newport; my next I hope will be dated there. We have had the most severe N. East Storm I ever knew, but, thank Heaven, after 48 hours it is over. I am in high health and spirits, & [so is] our Army. The Enemy dare not show their heads. We have had about 50 who have deserted to us; Hessians & others. They say many more will desert, & only wait for opportunity. I am told by the inhabitants that before we came on, they burned 6 of their Frigates; they have destroyed many houses between them & us. I hope we shall make them pay for all. The French Fleet are not returned, but I just heard they were off Point Judith with 3 frigates, prizes; this, I am told, comes from Head Quarters. I do not asert it for fact, but hope it is true. You have heard this Island is the Garden of America, indeed it used to appear so; but those British Savages have so abused & destroyed the Trees (the greatest part of which was Fruit Trees), that it does not look like the same Island; some of the Inhabitants who left it hardly know where to find their homes. Col. Crafts is obliged to act under Col. Crane, which is a severe Mortification to him. I have but little to do with him, having a separate command. It is very irksome to be separated from *her* whom I so tenderly love, and from my little Lambs; but were I at home I should want to be here. It seems as if half Boston was here. I hope the affair will soon be settled; I think it will

* This letter was written from the camp of the American forces on the island of Rhode Island, to the north of Newport, then in the possession of the British. It bears no date, but it was written in August, 1778. Revere had probably joined the Massachusetts forces raised a short time before, and commanded by Major-General Hancock, to co-operate with the French under D'Estaing for the reduction of Newport. The references in the letter to military and naval events will be better understood if the reader will turn to Arnold's History of Rhode Island, II. 420-424. The violent storm referred to occurred on the 12th and 13th of August.—Eds.

not be long first. I trust that Allwise being who has protected me will still protect me, and send me safely to the Arms of her whom it is my greatest happiness to call my own. Paul is well; send Duty & love to all. I am surprised Capt. Marett has not wrote me. My duty to my Aunts, my love to Brothers & Sisters, my most affectionate love to my children. It would be a pleasure to have a line from Deby. Lawson desires to be remembered to you. My best regards to Mrs. Bennet, Mr. Burt, Capt. Pulling, & all enquiring Friends. Col. Marescall, who is one [of] Genl Sullivans Adi Camps, tells me this minute that the French have took a Transport with British Grenadiers, but could not tell the particulars.

Your Own,

PAUL REVERE.

Testimony of Paul Revere.

I, Paul Revere, of Boston, in the County of Suffolk & Commonwealth of Massachusetts, Esq^r, of Lawful Age, do testify & say, that in the year of our Lord, 1756, I was a Second Lieutenant in a Company of Artillery, on an expedition against the French, at Crownpoint. The Artillery was commanded by Richard Gridley, Esq^r, who at the same time commanded a Regiment of Infantry on the same Expedition. (I was then twenty-one years of Age.) The Regiment & Artillery were stationed at Fort William Henry, on Lake George, from the month of May to the month of November of the same year. The Army was commanded by General Winlow as Commander-in-Chief, and by General Lyman as Lieutenant General.

(Signed)

PAUL REVERE.

Boston, April 27th, 1816.

(A true Copy of the original, S. SWETT.)

Certificate to Paul Revere.

This Certify's that M^r Paul Revear is going express from the Colony of Massachusetts Bay to the American Congress, all persons upon the road are desir'd to assist him with Horses or any other things he may stand in need off.

JAMES OTIS,* Pres^t of Council.

Nov^r 12th, 1775.

Mr. FROTHINGHAM read the following letter from Governor Hutchinson to Dr. Robertson, the Scottish historian, dated Boston, 28th December, 1773, which he had copied from the Governor's correspondence at the State House:—

Gov. Hutchinson to Dr. Robertson.

Boston, 28th December, 1773.

REV. AND DEAR SIR,—The prospect of being able to contribute a mite to the great work in which you are engaged made your queries

* James Otis, Senior.

welcome to me. Those which relate to the Indians I put into the hands of Mr. Gideon Hawley, who was for several years a missionary from the London Society for the Propagation of the Gospel among the Indians, to one of the settlements, or, as they call them, castles of the Iroquois, and is now in the same service among the only collection of Indians in this province. He is a most worthy man, but I take the present missionary to the Iroquois to be a person who has made and preserved more observations of the customs and manners of that people, and I therefore furnished him with the same set of queries, and expect from him next month a more copious answer to them, which when I receive I will transmit to you. To the remaining queries I send you the best answer I am capable of giving.

The prevalence of a spirit of opposition to government in the plantation, the natural consequence of the great growth of colonies so remote from the parent state, and not the effect of oppression in the king or his servants as the promoters of this spirit would have the world to believe, takes up the whole of my time and thoughts; but it also makes me thoroughly weary of my political life, and will probably in a little time occasion my release from it, and enable me to renew my offers of every service I may have in my power to render you.

I am, with very great respect and esteem, your most humble and most obedient servant.

Rev. Doctor ROBERTSON.

The President then said:—

And now, Gentlemen, I am unwilling to detain you longer from the special entertainment which has been prepared for this meeting. Our associate, General Francis W. Palfrey, has kindly promised to give us an account of "all that he saw, and part of which he was," during the campaigns of the late Civil War, in which his regiment participated with so much distinction. We all know how much his honored father has done for New England history, and we are most glad to welcome the son, from his professional pursuits, into the historical field. Let me call on General Palfrey without further delay.

General PALFREY then read an interesting account of the 20th Massachusetts Regiment, more particularly relating to the engagements before Richmond in May and June, in 1862, known as the battles of "Fair Oaks" and "Seven Pines." General Palfrey was Lieutenant-Colonel of the Regiment, commanded by Colonel W. R. Lee. This paper was not intended for publication in the Proceedings of the Society.

Judge THOMAS spoke of the advantage of studying history by aid of the statutes of a country, and gave some interesting illustrations of the time of Henry VIII., showing the low price of labor and the corresponding low price of living among the lower classes. He referred also, for a similar purpose, to

the value of the recently published volume of Province Laws, issued under the editorship of Messrs. Ames and Goodell; and he moved that the subject of that volume be referred to a committee, who should report upon it. His motion was adopted, and Messrs. Thomas and Ames were appointed on the committee.

Mr. E. QUINCY said he had recently been on a visit to New York and Philadelphia, and while in the latter city called on our venerable Honorary Member, Horace Binney, whom he found in excellent health.

Dr. HOLMES also addressed the meeting in some most agreeable remarks.

Mr. W. G. BROOKS exhibited a miniature of General Washington in plaster, belonging to Mr. Melvin Lord, of Boston, who had placed the following memorandum in writing on the back of it.

Duplicate of a likeness of WASHINGTON, which has been in the family of the late George Homer, Esq., of Boston, as near as can be judged, upwards of sixty years. And it is not unreasonable to suppose it had been in the hands of his father, William Homer, who was a Boston man before him, and throughout the Revolution, in which period, and whilst Washington was in Boston and Cambridge, the likeness may have been taken. It has been conjectured that it was executed by one of the many French artists who came to this country in the time of the Revolution. The general style of the picture, in its little old-fashioned, tarnished gilt frame, justifies this supposition. Artists who have painted the head of the great man have looked upon this likeness with much interest. It will be observed that the *nose* is *Roman* in form, the *attitude* quite *erect*, and the *forehead* perhaps rather more *elevated* than has sometimes been seen. Examples of these traits are found; for instance, the higher forehead in a likeness by Fullerton; the attitude, with the nose "decided in form," in one by Wright, highly valued by Mr. Bushrod Washington; and, in a bust by Ceracchi, the Roman nose and elevated forehead are both distinctly portrayed. The nose in Fullerton's likeness has been criticised as too straight.

As a mark of designation, in ignorance of its origin, we shall call this the Homer likeness of Washington.

MELVIN LORD.

Boston, July 4th, 1861.

The President then referred to recent letters received from our Corresponding Members,—the Hon. Hugh Blair Grigsby, of Virginia, and Count Adolphe de Circourt, of France; the latter promising to send to our library, at an early day, his notices of Manzoni, the Italian poet, and Prosper Merimée, the French *littérateur*, both lately dead.

MARCH MEETING.

A stated meeting was held on Thursday, 12th March, 1874, at 11 o'clock A.M.; the President in the chair.

The records of the last monthly meeting and of the Social Meeting were read.

The Librarian read his monthly report of donors to the Library.

Messrs. Saltonstall, Waterston, and Smith were appointed a committee to nominate a list of officers at the Annual Meeting in April.

Messrs. Lawrence, Mason, and W. Amory were appointed a committee to examine the Treasurer's annual account.

A letter from Mr. F. O. Vaille and Mr. H. A. Clark was read, asking permission to take a photograph copy of a picture of Harvard College buildings in the Society's Cabinet. Mr. Sibley indorsed the application, which was granted.

The President read the following Memoir of our late Resident Member, William Minot, which he was requested to prepare for the Society's Proceedings:—

On the 28th of May, 1802, our late illustrious associate, John Quincy Adams, in a public Address, spoke of his friend the Honorable George Richards Minot, then recently dead, as follows: "The community to which such a man as this belongs, confer honor upon themselves by every token of distinction they bestow upon him. Mr. Minot was successively employed in various offices of trust and of honor. To vice, a merciful but inflexible judge; to misfortune, a compassionate friend; to the widow, a protector of her rights; to the orphan, one in place of a father; in every station which the voice of his country called him alternately to fill, he displayed that individual endowment of the mind, and that peculiar virtue of the heart, which was most essential to the useful exercise of its functions."

On the 12th of June, 1873, our honored Vice-President, Charles Francis Adams, at a meeting of our Society, said of the Honorable William Minot, then recently dead, as follows: "It becomes my duty to note the decease, since the last meeting, of one of our most venerable and respected members. Though never taking any prominent part in the public action of life, no person passed his days in the performance of duties more useful to society or honorable to himself. Confidence in the fulfilment of obligations of pecuniary trusts is only merited by

a life of the purest integrity. The many who reposed it in him, during the long course of his active career, had cause to congratulate themselves, when reflecting how much shifting sand was visible always around them, that they had built their house on a rock."

It is a rare thing for a father and son to be the subjects successively of such enviable tributes, from sources so distinguished. It is not less rare for another father and son, at an interval of more than seventy years, to be the privileged authors of such tributes. The double coincidence may well be noted.

Of the Honorable George Richards Minot, one of the original members of our Society, and who made such early and substantial contributions to the work in which we are engaged, — by his *History of Shays's Rebellion*, and his continuation of *Hutchinson's History of Massachusetts*, — a Memoir will be found in the Eighth Volume of our Collections. It was undoubtedly prepared by his pastor, the Rev. James Freeman, D.D., then the Recording Secretary of the Society; who, however, marked the Memoir as his own only by affixing R. S., in small type, to the last printed page. To that Memoir, made up in large part from a Eulogy previously delivered by himself in King's Chapel, nothing needs be added, as it sets forth fully the life, character, and services of its subject, at a moment when they were fresh in the affectionate memory of the writer and of the community.

The Honorable William Minot was born in the homestead of his father and grandfather, in what is now known as Devonshire Street, Boston, opposite the New Post Office, on the 17th of September, 1783; and he took his Bachelor's Degree at Harvard University, with the distinguished Class of 1802, a few months after his father's death. He was admitted to the Bar of Suffolk County in 1805, and entered at once on the professional pursuits in which his father had been so eminent. To those pursuits he perseveringly adhered; only abandoning them when compelled to do so by the infirmities of old age. He was particularly devoted to the Law of Wills and Trusts. A man of the purest life, of the highest principles, of the most scrupulous and transparent integrity, — his counsel was eagerly sought, during a long term of years, by those who had estates to bequeath, or trusts to be arranged and executed; and no one enjoyed a greater share than he did, in these and in all other relations, of the esteem and confidence of the community in which he lived.

Among other Funds committed to his care, was that be-

queathed to the town of his birth by Benjamin Franklin, with a primary view of encouraging young and meritorious mechanics. This Fund was placed in Mr. Minot's hands by the authorities of Boston in 1804, and was gratuitously administered by him for the long period of sixty-four years, when it had increased from four thousand to one hundred and twenty-five thousand dollars. The City Government did not fail to enter upon its records a grateful acknowledgment of the eminent prudence and probity with which the Fund had been managed.

Naturally of a retiring disposition, Mr. Minot never sought public office, and very rarely yielded to the solicitation of friends by accepting it. He served his native place for a year or two, when it was first incorporated as a City, as the presiding officer of one of its wards; and he served the Commonwealth, for another year or two, with fidelity and honor, as a member of the Executive Council, during the administration of Governor Everett. He rendered valuable services, also, to the community, for a considerable time, as an Inspector of Prisons. But his tastes were for professional and domestic life, and he resolutely declined all further public employment.

No one could be more charming in the family or social circle, which often included Sedgwicks and Saltonstalls, and Lees and the Deweys, and Mrs. Fanny Kemble, and others of similar gifts. His noble countenance and genial manner attracted the regard and admiration of all who were admitted to his friendship, while his Christian faith and principle gave the crowning grace to his life and character.

He was of an ancient family, which has been traced back to Thomas Minot, the Secretary to the Abbot of Saffron Walden, in Essex County, England, in the reign of Henry VIII., whose coat-of-arms was surmounted by a Cross, with the motto "*Ad astra per aspera*." The family name, indeed, finds a distinguished wearer, still further back, — in the reign of Edward III., — in the person of Laurence Minot, whose Poems, written about 1352, — earlier even than those of Chaucer, — were printed in London in 1795. A copy of the little volume has recently been added to our library.

Mr. Minot was elected a member of this Society in 1843, and had thus been associated with us for thirty years, — his name standing, at the time of his death, sixth, in the order of seniority of membership, on our Resident Roll. He took a warm interest in our prosperity, and delighted to remember that his father had been one of our founders. To his thoughtful consideration for our welfare, — as I have the best reason to

know, — we have owed more than one of the substantial contributions to our funds, which have helped to relieve our treasury within the past few years.

He was a great reader during the later period of his long life. Few men were more familiar with the sterling productions of English literature, and he was always eager to converse, with the friends who visited him in his old age, on the books of history or philosophy, of romance or poetry, which were seldom out of his hands. Rarely, however, could he be induced to prepare any thing for the press. He communicated to the "Polyanthos," a periodical now forgotten, in 1806, a graceful sketch of his father's life and character, which has lately been privately reprinted in a separate form, and a copy of it added to our collection of pamphlets. A single other production completes the list of his published writings. At the request of our own Society, he prepared, in January, 1862, a Memoir of his distinguished classmate and life-long friend, the Hon. Samuel Hoar, which is among our printed papers. It is brief, simple, just to its subject, and eminently characteristic of its author. He was impatient of the long, and often extravagant, posthumous tributes which have become customary of late years; and it would be an offence to his own memory to extend this notice by further details of his excellent, but quiet and uneventful life.

He died, — in the house in Beacon Street, which he had occupied for sixty years, — in the ninetieth year of his age, on the 2d of June, 1873. His old family tomb, in the "Granary Burying Ground," — in which the remains of General Joseph Warren had reposed for many years after they were identified at Bunker Hill, — having been vacated and surrendered by him to the City, he was buried in "Forest-Hills Cemetery," where the dust of those dear to him had already been gathered, and not far from his pleasant summer residence at Jamaica Plain.

Mr. Minot was married, in 1809, to a daughter of a former well-remembered Solicitor-General of Massachusetts, Daniel Davis, the father, also, of the present Admiral Charles H. Davis. She was a lady of rare accomplishments, whose death in 1858 was felt as a bereavement far beyond the large domestic circle of which she was an ornament. Two daughters and three sons survived him; and to one of the latter, bearing his name and engaged in the same professional pursuits, we are already indebted for an excellent account of his father's life and character, privately and anonymously printed, which has left little to be added by any one else, and which has given a warmth and a truth of delineation and color to the portrait

it presents which could only be supplied by a loving filial hand.

It is enough for others to bear witness to its fidelity.

The President presented to the Society, in the name of Mr. William Minot, the son of our late associate, two pamphlets, and a volume of Poems of Lawrence Minot, who lived in the fourteenth century.

The President now announced the decease of the Honorable Millard Fillmore, an Honorary Member, and of the Honorable Charles Sumner, a Resident Member, in the following language : —

The grave closes to-day, Gentlemen, over one of our most distinguished Honorary Members, who, having held the office of President of the United States, has been recognized at the capital and throughout the country as the fit subject of national funeral honors. It is, however, by no means only to the exalted position which Mr. Fillmore was privileged to occupy more than twenty years ago, that his name will owe the respectful remembrance and grateful regard of his fellow-citizens. His political career was, indeed, an elevated and a proud one. As a member of the legislature of New York, and for a time the comptroller of its finances ; as a member of the House of Representatives of the United States, and for a time its chairman of the committee of ways and means ; as the elected Vice-President, and, for more than two years, owing to the lamented death of General Taylor, the President of our Republic, and this during a period of great sectional agitation and disturbance, — in all these relations he has made a mark in the history of the country which cannot easily be erased or overlooked.

It certainly will not be forgotten by us of Massachusetts, that Daniel Webster and Edward Everett were successively his Secretaries of State, and that he enjoyed the confidence, the respect, and the warm regard and friendship of them both. Indeed, his whole cabinet council, during the period of his presidency, including as it did the names of Webster and Everett, of Crittenden and Corwin, of Graham and Kennedy, of Stuart and Conrad and Nathan K. Hall, — but few of whom are now left among the living, and the last of whom, so long the law partner of the ex-President, by a striking coincidence has preceded him to the grave by only two or three days, — that whole Cabinet, I repeat, presents a group, which will be recognized even by those who differed most widely from its policy, as reflecting lustre on him who had so surrounded himself. I may be

allowed to remember that I was myself, for several years, associated with him in Congress, and was thus a daily witness to his devoted labors, his scrupulous integrity, and his great practical ability as a debater and a statesman.

But the official career of Mr. Fillmore, long and distinguished as it was, served only to give public exhibition of the sterling qualities of a just and true man. He may have made mistakes like other men; he may have disappointed hopes like other men; he may have subjected himself to suspicion or reproach, from partisan opponents, or even from partisan friends. But no one who was ever brought into any degree of personal intimacy with him could fail to recognize and appreciate the strong elements of his character; his amiability, his moderation, his modesty, his firmness, his sturdy common sense, his inflexible principle, the purity of his life, and his many Christian virtues.

"That worthy Mr. Fillmore," — as I well remember, — was the habitual expression of Irving, after a casual residence at the capital, in the prosecution of researches for his *Life of Washington*, had brought our charming author into familiar acquaintance with the then occupant of the executive mansion. "That worthy Mr. Fillmore" has fallen from a thousand lips before and since, and might well be taken as the brief, but just and comprehensive, inscription for his tombstone.

Without the advantages of earlier or later education, a stranger to colleges, and almost a stranger to schools in his youth, he fulfilled, as few other men so remarkably have done, the true idea of a self-made, self-educated man, and became a sound lawyer and an eminent statesman by the mere force of his own native energy and manly perseverance. No vain ambition, no miserable office-seeking, no reckless resolve to lift himself by any and all means into popular notice and notoriety, no degrading design to live and fatten upon the perquisites of public station, ever entered into the processes of his preferment. Always ready to serve his State or his Country, when he was clearly called to do so, he knew how to retire with dignity and self-respect when the voice of the people was no longer in his favor. He knew, too, how to employ his retirement in ways worthy of a good citizen and a Christian gentleman, and worthy of the distinction and influence which attached to him as an ex-President of the United States. He was particularly interested in the local history of Western New York, and was one of the founders and the first president of the Historical Society of Buffalo.

Mr. Fillmore was born on the 7th of January, 1800, and died on the 8th of March, 1874, having thus entered on the 74th year of his age.

Gentlemen, the ink with which I had penned the brief tribute which I have just paid to my friend, President Fillmore, was hardly dry, when the telegraph wires from Washington were trembling with the tidings of a death which makes a breach in our own immediate little circle of a hundred ; but a far wider breach in the larger sphere of the national councils. The death of the Hon. Charles Sumner, which occurred yesterday afternoon, but of which I only heard the certainty this morning, is an event too sudden and too impressive to be the subject of any off-hand utterances. Yet, assembled here as we are to-day, with so striking an event uppermost in all our thoughts, it cannot be passed over in silence, — certainly not by me. To us, as a society, Mr. Sumner was, indeed, but little ; his name having been added to our resident roll only within a few months past, and it never having been convenient to him to be present at even one of our meetings. We had all sincerely hoped, however, that in some future interval between the sessions of Congress, in some breathing-time from his arduous and assiduous public labors, we might have enjoyed the benefit of his large acquaintance with historical subjects, and of the rich accomplishments by which he was distinguished. That hope is now suddenly brought to an end, and we have only the satisfaction of knowing that his election, as one of our restricted number, afforded him a moment's gratification, in what have so unexpectedly proved to be the last few months of his life.

In the Senate of the United States, of which for more than three terms he has been so prominent and conspicuous a member, the gap created by his death cannot easily be measured. There, for so many years, he has been one of the observed of all observers. There, for so many years, scarce a word or an act of his has failed to be the subject of wide-spread attention and comment. No name has been oftener in the columns of the daily press, or on the lips of the people in all parts of the country, — sometimes for criticism, and even for censure, but far more generally for commendation and applause. Such a name, certainly, cannot pass from the rolls of living men, without leaving a large void to many eyes and to many hearts.

One of the pioneers in the cause of anti-slavery, while yet in private life, he breasted the billows of that raging controversy with unsparing energy, until the struggle ceased with the institution which had given rise to it. The same untiring energy was then transferred to what he regarded as the rights of the race which had been emancipated. Indeed, every thing which could be associated with the idea of human rights was made the subject of his ardent advocacy, according to his own judgment and

convictions. Devoting himself early, also, to the cause of Peace, and making the relations of the United States with other nations a matter for special study, — his unwearied labors as Chairman of the Committee of Foreign Affairs for several years, and his acknowledged familiarity with international law, can never be undervalued or forgotten.

As a writer, a lecturer, a debater, and an orator, he had acquired the strongest hold on public attention everywhere, both at home and abroad; and few scholars have brought to the illustration of their topics, whether political or literary, the fruits of greater research. His orations and speeches, of which a new edition, revised by his own hand, is understood to be approaching a completion, cannot fail to be a rich store-house of classical and historical lore, and will certainly furnish a most valuable series of pictures, from his own point of view, of the stirring scenes to which they relate.

I dare not attempt, gentlemen, to dwell at greater length on the crowded and eventful public career of Mr. Sumner. The tidings of his death have come upon us all with too painful a surprise to allow of our dealing with the subject as we might desire to do. And for myself, I need hardly say here, that any detailed discussion of his course might involve peculiar elements of delicacy and difficulty; as it has been my fortune, or, as others may think, my misfortune, to differ from him so often and so widely; sometimes as to conclusions and ends, but far more frequently as to the means of reaching those conclusions, and of advancing those ends.

I am glad to remember, however, that every thing of personal alienation and estrangement had long ago ceased between us, and that no one has been more ready than myself, for many years past, to welcome him into this Association. His praises will be abundantly, and far more fitly, spoken elsewhere, if not here, by the countless friends to whom he was so dear; and you will all pardon me, I know, if the suddenness of the announcement has prevented me from paying a more adequate tribute to his culture, his accomplishments, his virtues, and to those commanding qualities by which he impressed himself on the period in which he lived.

Born in Boston on the 6th of January, 1811, he had more than completed his 63d year.

The Honorable CHARLES FRANCIS ADAMS offered the following resolution: —

Resolved, That, as members of the Massachusetts Historical Society, we learn, with profound regret, the sudden decease of our illustrious

associate, Charles Sumner, the ripe scholar, the incorruptible statesman; the eloquent advocate of a cause which his labors contributed largely to bring to a triumphant conclusion, the abolition of Negro slavery in the United States; the firm philanthropist, proved by more than twenty years of trial in and out of public life; and the ardent patriot, whose labors have ever had for their sole aim the promotion of the greatness and the maintenance of the honor of our common country.

Remarks were then made by Mr. ADAMS, Ex-Governor CLIFFORD, Judge THOMAS, Mr. WATERSTON, and Mr. EDMUND QUINCY; and the resolution was unanimously adopted by a rising vote.

A serial of the Proceedings of the Society from August to December, 1873, inclusive, was reported as ready for distribution.

ANNUAL MEETING, APRIL, 1874.

The Annual Meeting was held on Thursday, April 9th, at eleven o'clock A.M.; the President in the chair.

The Recording Secretary read the record of the preceding meeting.

The Librarian read his monthly list of donors to the Library.

The President communicated a gift from Mr. Charles P. Curtis, of Boston, of a series of lithographic copies of old maps, prepared to aid in the settlement of the boundary between the States of Virginia and Maryland, for which the thanks of the Society were ordered.

He also read a letter from Captain G. V. Fox, of Lowell, presenting to the Society a copy of the Virginia ordinance of Secession.

A pamphlet of Proceedings, embracing the doings of the meeting on the 16th of December, at the house of Mr. Waterston, was announced as printed; each member, it was added, being entitled to a copy.

An engraving illustrating the proceedings of the colonists relative to the destruction of the Tea was exhibited, having been sent from New York as a unique print.

The President called attention to some letters of John Adams, written to Professor John Winthrop, of Cambridge,*

* These were kindly sent to the Society, on deposit, by our Corresponding Member, Col. John Winthrop, and were gratefully acknowledged. — EDS

dated from Philadelphia, during the years 1775 and 1776. They were referred to Mr. C. F. Adams.

Mr. Sibley sent in for the Library a finely bound copy of his "Harvard Graduates," for which suitable acknowledgments were made.

Sir John Bernard Burke, of Dublin, Ireland, was elected a Corresponding Member.

Dr. ROBBINS submitted his Memoir of the late William Brigham. (See page 280.)

The doings of the Annual Meeting were now entered upon.

The Annual Reports of the Standing Committee, the Librarian, the Treasurer, and the Cabinet-keeper, were severally read and accepted; the Committee on the Treasurer's account certifying to its correctness. They are here printed.

Report of the Standing Committee.

The last Annual Meeting of this Society took place on the 10th of April, after an entire renovation had been effected in this building, from its foundation upward. That occasion was in itself an eventful epoch in the history of the Society. By appropriate services it was rendered a Meeting of Dedication.

A new experience was about to open before us. No one could positively predict how the many alterations which had been made in reconstructing this edifice would prove upon trial. It is a great satisfaction to find, at the end of a twelve-month, that all we had hoped has been more than realized. Our accommodations were never so ample, nor our surroundings so attractive to the eye. The various collections of the Society have never before elicited so much attention, nor the rooms been so generally frequented. The progress and prosperity of the Society in all its departments has been undoubted. Its meetings have been largely attended. Interesting communications have been read, and valuable papers published. Our historical and antiquarian treasures have been augmented; and the privileges connected with the Society have, in no particular, lessened. The Standing Committee, therefore, at the close of their official year, in presenting this their Annual Report, feel that there are abundant reasons for congratulation, and every incentive to renewed effort.

LIBRARY.

It is gratifying to know that the Library, to which our thoughts naturally turn first of all, is in a better condition than

at any previous period. The larger space granted it, under the present accommodations, has allowed a more perfect arrangement and classification. The shelf-room so long desired has at length been gained, and has been improved to the best advantage. As one result, the Library has never been so extensively used for reference and study, while the number of volumes contributed have been threefold above the number received during any former year.

At the time of our last Annual Report, the Library consisted of about 21,000 volumes. Since then 1,269 have been received, making in all 22,389. During the same time 3,747 pamphlets, 1,429 newspapers, 88 maps, and 73 volumes of manuscripts have been received; 58 volumes of the Society's publications have been exchanged; while over 1,000 books and 2,000 pamphlets have been received as gifts.

In addition to the bequest of \$5,000 left us by Mr. Savage for the increase of the Library, 100 volumes were to be selected from his own collection, which has been done by a committee appointed for that purpose, to which 79 volumes more were added by the family. Mr. Francis E. Parker has generously presented the Society with over 100 volumes, principally classical. Mr. A. A. Lawrence, whose liberality has been constant, has bestowed 57 volumes; Dr. Shurtleff, 196 volumes; Miss Dix, 98 volumes; and the Hon. Charles Francis Adams, 39 volumes, connected chiefly with the Alabama Claims and that Arbitration in which he took so important a part.

The room devoted to pamphlets contains some 40,000, all of which, during the year, have been overhauled, and thoroughly arranged and classified,—a work of much labor, for which, however, the result is an adequate compensation.

CABINET.

The collection of antiquities has outgrown its present accommodation. Those valuable historical relics, to which important accessions have been made during the past year, when re-arranged and newly assorted, will form a source of great attraction. We have now ample treasures for double the space at present occupied. Many objects of great interest have been absolutely hidden from view. The collection of coins has been largely enriched, and many other gifts would doubtless come to us, if a more fitting place for their reception were provided. We look forward to the coming year, confident that important changes for the better will take place in this department.

With gratitude to the Cabinet-keeper for all he has done with the scanty means placed at his disposal, we can only hope for

a larger and better display of what we possess by offering such facilities as shall make improvement possible.

GALLERY OF ART.

The additional story which has been added to this building has given opportunity for the more adequate arrangement of portraits and works of art belonging to the Society.

A committee chosen for this purpose has superintended the re-arrangement, which has been done with excellent judgment and taste, all the pictures which required it having been repaired and varnished.

MEMBERS.

During the year three Resident Members have been elected, — the Hon. B. R. Curtis, the Hon. Charles Sumner, and Dr. C. W. Eliot, President of Harvard University.

Two Resident Members have been removed by death, — the Hon. William Minot and the Hon. Charles Sumner.

Of the former, a Memoir has been prepared by the President, the Hon. R. C. Winthrop; while the startling intelligence of the sudden death of our distinguished Senator having been announced by the presiding officer, Mr. Winthrop, with appropriate remarks, a Resolution was offered by the Hon. Charles Francis Adams, followed by tributes of profound respect and affection from various members.

During the year four Corresponding Members have been elected, — Prof. William Gammell, of Providence, R. I.; the Rev. Dr. Thomas Hill, now of Portland, Me.; Dr. Josiah G. Holland, of New York; and Judge Manning F. Force, of Cincinnati, Ohio.

Four Corresponding Members have been taken away by death, — John Romeyn Brodhead, of New York; the Hon. Henry Black; Robert Bigsby, of Ashby de la Zouch, Leicestershire, England; and John G. Nichols, of London.

Edward A. Freeman has been elected an Honorary Member; while the Rt. Rev. Bishop Wilberforce, the Hon. Millard Fillmore, and Don José da Costa de Macedo, of Lisbon, Portugal, have been removed by death.

Thus eight have been elected, and nine removed by death. Among those thus taken from us are men we shall deeply miss; men, who from their high positions, great acquirements, and lives crowded with memorable deeds, can never be forgotten.

DR. JACOB BIGELOW.

While we have paused to pay at least a silent tribute to members who have been called hence by death, may we not allude to one who, disabled by the infirmities of advancing years, yet retains the full use of his vigorous intellect; and though, like Milton, deprived of the sweet privilege of sight, and "knowledge at one entrance quite shut out," without one murmur, cheerfully meets his lot, gladly recalling the bright scenes he once loved to behold, and finding ample resources in the rich treasures of knowledge accumulated through former years?

Long may our honored associate, Dr. Jacob Bigelow, remain among our most valued living members; while his unabated intellectual power and unclouded cheerfulness, united to a deep-rooted Christian faith, make the continuance of life to him the beginning of that blessedness which hereafter shall have no end.

PUBLICATIONS.

During the past year a volume of Proceedings has been published, added to which serial numbers, giving an account of our meetings, have been printed for the use of members, which will form a portion of a new volume. Great responsibility rests upon the Publishing Committee in preparing these volumes, and we owe much to those who have so faithfully performed this duty.

MEMOIRS.

During the year three Memoirs have been prepared: one of Charles Folsom, by Professor Parsons; one of the Hon. William Minot, by the President; and one of the Rev. John S. Barry, by Mr. C. C. Smith.

A detailed notice was also written of Mr. John G. Nichols, of London, by Mr. Whitmore.

Among the important publications of the present year, we would not neglect to mention the Life of Colonel Timothy Pickering, by the Hon. Charles W. Upham, of Salem, — a work of uncommon ability and destined to be of permanent value.

In this connection we may mention one of the great acquisitions of the past year, — the extensive and invaluable manuscript papers from the Pickering family.

Official documents and autograph letters which had accumulated during his whole lifetime, and illustrating some of the

most eventful periods in the history of the country, — these, arranged in sixty-eight volumes, and carefully deposited in five separate boxes, are now under the care of this Society.

Among other productions prepared by members of the Society, though not published by the Society, may be named an interesting volume upon the Life and Paintings of John Singleton Copley, by our associate, Augustus Thorndike Perkins; also a Memoir of Jeremiah Mason, a superb volume of between four and five hundred pages, prepared with admirable taste and judgment by the Hon. George S. Hillard, whose health we heartily wish were such that he might have been present with us this day.

This Memoir, though privately printed (a beautiful tribute of filial affection), is truly to be counted as a work of great *public* value, bringing together, as it does, the correspondence of one whose intellectual pre-eminence was universally acknowledged, and who was beyond doubt one of the most marked men of his time.

Mr. Motley, whose "Rise of the Dutch Republic" and "History of the United Netherlands" have reflected such honor upon the historical literature of our country, has completed another volume, soon to be republished here.

And a new volume containing the History of the United States, by Mr. Bancroft, is now in the press.

Thus, if the Society itself has not the credit of giving to the world these several works, it is a satisfaction to feel that individual members by their activity atone in some measure for the unproductiveness of others, thus keeping, it may be, among the whole an harmonious equilibrium.

FINANCIAL.

The financial condition of the Society will be presented by the Treasurer, whose account submitted in print at this meeting will enable every member to form an accurate estimate of the expenditures and receipts. It is a satisfaction to know that, while the necessary expenses connected with the alterations of this building were nearly \$65,000, we have thereby acquired not only the more ample accommodations which we now enjoy, but by the income received from the city we shall not only be free from embarrassment, but enabled, with care, gradually to liquidate the whole debt. Grateful for the resources we possess, there is still ample need for all the means we can obtain; and wise use could be made of whatever funds should be placed at our disposal. The Appleton Fund, the Massachusetts Historical Trust Fund, the Dowse and the Peabody

Fund, are all safely invested, and the incomes are appropriated in accordance with the purposes designated by the founders. Great good is constantly being accomplished by these benefactions, while the generosity of the donors is thus kept ever fresh, and they themselves are held in perpetual remembrance.

The income from the annual assessments and admission fees of members is too limited to enable the Society to accomplish all it could desire; and, to help the Society to the more speedy fulfilment of its plans, various members have voluntarily promised to pay annually the sum of twelve hundred dollars (\$1,200) in lieu of their regular subscriptions, for 1874, 1875, and 1876.

This sum (already subscribed, and the first instalment promptly paid) will enable the Society, without delay, to continue the regular publication of its volumes of Collections.

THE HUTCHINSON PAPERS.

The long controverted question as to the final disposition of the Hutchinson Papers has during the past year been amicably arranged.

An Arbitrator was mutually agreed upon, to whom the archives and records of the Society were thrown freely open for the most thorough examination. After the fullest research had been made, an official award was duly rendered, by which historical manuscripts placed under the care of this Society, half a century ago, by Alden Bradford, with an acknowledged recognition of this fact by those in authority at that time, have now been restored to the custody of the Commonwealth, to whom henceforth, by this decision, all responsibility respecting them has been transferred.

MEETINGS.

In addition to the regular monthly meetings, there have been two special meetings of peculiar interest: one at the residence of William Amory, Esq.; and one at the house of Mr. Waterston, on the 16th of December, in commemoration of the One Hundredth Anniversary of the Destruction of the Tea in Boston Harbor. A detailed account of this meeting has been prepared, including a valuable paper by Richard Frothingham, which will be distributed among the members this day.

NEW CODE OF BY-LAWS.

Before closing this Report, it is proper to make mention of the new draft of By-laws adopted by the Society.

Of these there has been a thorough revision. Every section was deliberately considered, after which various amendments were adopted; and the whole, as revised, was reported by the Standing Committee, and after full consideration was duly accepted as the New Code of the Society.

Among other changes, the body hitherto known as the Standing Committee is henceforth to be called the Council, and to include all the Elective Officers of the Society.

The community doubtless looks with large expectations upon a body of men like those enrolled as members of this Society. Valuable material has been intrusted to their care. Unpublished manuscripts, relating to important historical periods, are before us, awaiting publication.

Grateful for the privileges we enjoy, let no one shrink from the responsibilities laid upon him; and may all the future experiences of the Society be in harmony with the brilliancy and nobleness of its past history.

Respectfully submitted.

R. C. WATERSTON,
Chairman for the Committee

Report of the Librarian.

In accordance with the By-Laws of the Society, the Librarian has the honor to submit his Annual Report.

During the past year the addition of books to the Library has been larger than ever before for the same period since the Dowse collection was given to the Society, and the additions have been for the most part works of a valuable character. They may be classified as follows:—

Books	1,269
Pamphlets	3,747
Bound volumes of newspapers	53
Unbound volumes of newspapers	5
Maps	88
Plan	1
Broadsides	51
Volumes of manuscripts	73
Manuscripts	17
	<hr/>
	5,304

Of the books added, 1,078 have been given, 178 have been procured by exchange, and 13 bought. Of the pamphlets added, 2,069 have been gifts, and 1,678 exchanges. Of the Society's

publications, 58 volumes have been exchanged for other works, and 12 volumes have been received back by exchange. The manuscripts known as the "Hutchinson Papers," comprising three folio volumes, have been returned to the State Archives, in accordance with the decision of an arbitrator.

From an actual count made in 1867, there were then 18,011 volumes in the Library. Starting with this number as a basis, and adding the accessions since that time, it appears that there are now 22,522 volumes, including the files of bound newspapers and the bound manuscripts. The number of pamphlets in the Library exceeds 40,000.

During the year there have been taken out 96 volumes and pamphlets, and all have been returned. It should be borne in mind, however, that the Library is used more for reference than for circulation; otherwise the statement of this fact might give a wrong impression of its use.

The late Mr. Savage, who was the Librarian sixty years ago, left by legacy to the Society the sum of \$5,000, the interest of which is to be used for buying books for the Library. He also bequeathed to it 100 volumes, among which was the copy of his great work, the "Genealogical Dictionary," containing all his corrections and additions in his own handwriting. His daughter has also given 79 volumes and 267 pamphlets.

The Honorable Charles Francis Adams has presented to the Library 39 volumes, handsomely bound, relating to the Alabama Claims, which were used by him at the Arbitration in Geneva. Dr. Nathaniel B. Shurtleff and Mr. Francis E. Parker have also made valuable accessions to the Library. Mr. Amos A. Lawrence has continued his gifts, having added during the year 57 volumes and 6 pamphlets, all relating to the Great Rebellion. The manuscripts of Colonel Timothy Pickering have lately come into the possession of the Society, given by his grandson, Mr. Henry Pickering. They comprise 68 volumes, and cover a period of seventy years, extending from 1759 to 1829. They furnish the groundwork of the "Life of Timothy Pickering," which was begun by his son, the late Octavius Pickering, and ended by our associate, Mr. Upham. They constitute an accession of great interest and value. Mr. H. F. Walling has given 87 maps of New England towns and counties, making an important addition to the collection of the Library.

Respectfully submitted.

SAMUEL A. GREEN, *Librarian.*

APRIL 9, 1874.

Annual Report of the Treasurer.

The Treasurer of the Massachusetts Historical Society submits the Annual Report for the year closing April 6, 1874:—

Cash on hand, April, 1873	\$339.86
" received to April, 1874	54,164.19
" due the Treasurer	43.02
	<u>\$54,547.07</u>
Cash paid during the financial year	\$54,547.07
	<u>\$54,547.07</u>

GENERAL ACCOUNT.

DEBITS.

Balance of the account of 1873	\$1,075.23
George Arnold, salary and allowance	1,199.97
S. B. Sterne, salary	462.01
William Hamilton, tending boiler	211.63
Incidental expenses	475.09
Coal	187.00
Printing	181.19
Rent of office	182.00
Interest on loan of \$60,000	5,632.14
" to Merchants' Bank	164.80
Insurance on building	375.00
Assessments on mutual insurance companies	1,144.63
Balance to the contractors and architect for rebuilding	13,263.39
Cleaning pictures, and hanging	486.63
Moving	600.00
Fresco-work, carpets, and furniture	1,387.57
Peabody Fund.—Reinvestment of capital in Boston & Albany bonds	21,630.00
Reinvestment in Suffolk Savings Bank	493.00
Accrued interest on bonds	12.25
For printing "Proceedings"	1,302.72
Appleton Fund.—Binding	32.90
Savage Fund.—Investment in bond of Phil. & W. R.R. \$5,000, 90 per cent.	4,500.00
Investment in 10 shares Phil. & Wilmington Road	623.25
For books	300.00
To the credit of the Appleton Fund	732.18
Massachusetts Historical Trust-Fund	340.32
Dowse Fund	600.00
Peabody Fund Income	1,043.38
Savage Fund Income	320.00
	<u>\$58,658.18</u>

CREDITS.

City of Boston, rent of building	\$11,250.00
Balance of loan of trustees of estate of Eben Francis	11,500.00
Peabody Fund.—Proceeds of sales of \$20,000 U. S. 10-40	22,123.00
" Income. Interest on bonds	1,043.38
Bequest of James Savage	5,000.00
Savage Fund.—Income for the year	320.00
Amount carried forward	\$52,386.38

Amount brought forward	\$52,336.38
Sales of the Society's publications	758.79
Annual assessments and subscriptions	1,816.00
Admissions	40.00
Coupons of Quincy & Palmyra bond of \$1,000	80.00
" " Han. & St. Joseph " " 1,000	80.00
Return premiums of Insurance Co., &c.	69.55
George Arnold, balance of his note	83.47
To the debit of the Dowse Fund, care of the Library	600.00
Appleton Fund, expenditure	32.90
Peabody Fund, expenditure	1,302.72
Peabody Fund, accrued interest	12.25
Savage Fund, expenditure	300.00
Balance to new account	<u>2,246.12</u>
	<u>\$58,658.18</u>

THE APPLETON FUND.

This fund consisted of ten thousand dollars, presented to the Society, Nov. 18, 1854, by the executors of the will of the late Samuel Appleton, on the condition that its income be applied to the purchase, preservation, and publication of historical material. It was received from the executors in ten shares of manufacturing stocks. These stocks were sold in February and March, 1863; and the net proceeds, amounting to twelve thousand two hundred and three dollars, were invested in the real estate of the Society, according to the Declaration of Trust recorded in the Register of Deeds office, book 827, p. 63. On the 14th of March, 1872, the Society, by a vote, authorized the Treasurer to sign, and cause to be recorded, an instrument relinquishing the said Declaration. This instrument was signed April 13, 1872, and is recorded with Suffolk Deeds (Lib. 1,102, fol. 89). A new Declaration of Trust was then made, which is on file, giving similar security to the investment. Volumes three to ten inclusive of the Fourth Series of the Society's "Collections," and the first volume of the Fifth Series, were printed from the income of this fund, and the strictly historical portions of the volumes of the "Proceedings" of the Society for 1862-63 and for 1864-65.

Account ending April, 1874.

DEBIT.

Balance advanced to the fund	\$2,777.10
J. Y. Crowell, binding	82.90
	<u>\$2,810.00</u>

CREDIT.

One year's interest of the investment	\$732.18
Balance to new account	<u>\$2,077.82</u>
	<u>\$2,810.00</u>

MASSACHUSETTS HISTORICAL TRUST-FUND.

This fund was originally two thousand dollars, presented to the Society by Hon. David Sears, by an instrument dated Oct. 15, 1855, and accepted Nov. 8, 1855. This provides that the income is to be added to the principal annually between July and January, to form a new investment; but, in any year before such investment, the Society may by vote expend the income for such purposes as may be required; or it may, by vote, expend the accumulation of the income, in whole or in part, towards the purchase or improvement of the premises belonging to the Society, "or in the purchase of works of art or desirable objects:" provided that in no case whatever "the original trust-sum be encroached upon or diminished."

The original sum of two thousand dollars was invested in the Society's building. The principal was increased on the 26th of December, 1866, by a subscription by David Sears and Nathaniel Thayer, of five hundred dollars each, according to the terms of the original instrument, which has not been invested. This, with the two thousand dollars, stands on the ledger as an obligation of the Society, making the principal three thousand dollars.

Pursuant to a vote of the Society, five hundred dollars was paid July 5, 1869, from the accumulation, towards paying off the debt incurred by the purchase of the estate owned by the Society. No other expenditure has been made from the accumulation.

Account ending September 1, 1873.

DEBIT.

Balance to new account	\$3,012.44
	<u>\$3,012.44</u>

CREDIT.

Balance of old account	\$2,672.12
Interest one year on \$2,672.12, accumulated income . . .	160.32
Interest one year on \$3,000 of principal	180.00
	<u>\$3,012.44</u>

According to the terms of the trust, the whole of the accumulated income may be appropriated, by a vote of the Society, "to the improvement of the premises belonging to the Society."

THE PEABODY FUND.

This fund was presented to the Society by George Peabody, in a letter dated Jan. 1, 1867, enclosing an order for \$20,000

in 10-40 Coupon Bonds, and providing that they, or their proceeds, shall be held by the Society as a "permanent trust-fund, of which the income shall be appropriated to the publication and illustration of their 'Proceedings' and 'Memoirs,' and the preservation of their Historical Portraits." This trust was accepted by a vote of the Society, Jan. 10, 1867. The Five-per-cent Bonds were sold Feb. 4, 1874, the interest due March 1 being reserved. The interest to Feb. 1 was passed to income account. The net proceeds amounted to \$22,123. This has been invested in Seven-per-cent registered Bonds of the Boston & Albany Railroad, at three per cent premium, making \$21,630, and a deposit of \$493 in the Suffolk Savings Bank.

The "Proceedings" for 1866-67, 1867-68, 1869-70, 1871-73 were paid for out of the income of this fund. Another volume is passing through the press.

Account to April, 1874.

DEBITS.	
W. H. Forbes, printing	\$25.00
John Wilson & Son, printing	422.61
" " " "	504.44
" " " "	165.17
F. Hedge, Jr., index "	65.00
J. Y. Crowell, binding	120.50
Accrued interest on bonds	12.25
Balance to new account	1,248.48
	<u>\$2,563.45</u>
CREDITS.	
Balance of old amount	\$1,520.07
Interest on United States bonds to September	576.25
" " " " February	467.13
	<u>\$2,563.45</u>

THE DOWSE FUND.

This fund of ten thousand dollars was presented to the Society, April, 1857, by the executors of the will of the late Thomas Dowse, and it was invested in a note signed by Edward Hyde and O. W. Watris, secured by mortgage on real estate. This note was paid on the 17th of April, 1863: the whole fund was then invested in the real estate of the Society, and it stands on the ledger as an obligation of the Society. The income of this fund is included in the rent received from the city of Boston, and the expenditure is included in salaries paid to Mr. Arnold and the assistant, who are employed in the care of the Dowse Library. The account on the ledger the last year is as follows:—

Account to April, 1874.

DEBITS.

Service of the Librarian and care of the room	\$600.00
	<u>\$600.00</u>

CREDITS.

By one year's interest on \$10,000	\$600.00
	<u>\$600.00</u>

SAVAGE FUND.

The late President, James Savage, bequeathed to the Society five thousand dollars, the income of which is to be expended "for the increase of the said Society's Library." This was received in June, 1873, and invested in \$5,000 bonds of the Philadelphia, Wilmington, and Baltimore Railroad, bearing interest at six per cent per annum at 90, — \$4,500; and ten shares in this company, costing \$523.25. The income account the past year is as follows:—

DEBITS.

Paid Little, Brown, & Co., for Notes and Queries	\$150.00
" " " " Somers Tracts	150.00
Balance to new account	20.00
	<u>\$320.00</u>

CREDITS.

By interest on \$5,000 bonds of Philadelphia R.R.	\$300.00
Dividend on 10 shares of	20.00
	<u>\$320.00</u>

BALANCES.

The balances on the ledger are as follows:—

DEBITS.

Advanced to the Appleton Fund	\$2,077.82
The general account	2,246.12
	<u>\$4,323.94</u>

CREDITS.

To the credit of the Historical Trust-Fund	\$3,012.44
" " " Peabody Fund	1,248.48
" " " Savage Fund	20.00
Due the Treasurer	43.02
	<u>\$4,323.94</u>

The bills on account of the rebuilding and furnishing the

Society's building have been paid. The total expenditure for this purpose is as follows:—

Paid the contractors for the carpenter's and mason's work	\$55,853.04
For the heating apparatus	2,503.00
Fees to Rider & Harris, the architects	2,907.25
Fresco and other work	293.40
Entrance door and guard	223.50
	<u>\$61,780.19</u>

The expenditures connected with the rebuilding were as follows:—

Furniture, including carpets	\$496.95
Cleaning and hanging pictures	583.91
Moving, packing, and storage	1,288.56
Rent of room	560.00
Heating, cleaning, &c.	824.44
	<u>\$3,253.86</u>
	<u>61,780.19</u>
	<u>\$65,034.05</u>

The undersigned, the committee appointed to examine the Treasurer's account for the year ending April 7, 1874, have compared the vouchers with the entries, and find them correct, and the balances in the ledger as follows:—

DEBITS.	
Appleton Fund	\$2,077.82
General account	2,246.12
	<u>\$4,323.94</u>

CREDITS.	
Massachusetts Historical Trust-Fund	\$3,012.44
Peabody Fund	1,248.48
Savage Fund	20.00
Cash due the Treasurer	43.02
	<u>\$4,323.94</u>

They also find in the hands of the Treasurer the property of the Society as follows:—

One bond, Quincy & Palmyra R.R.	\$1,000.00
Hannibal & St. Joseph R.R.	1,000.00
Ten shares of Philadelphia, Wilmington, & Baltimore R.R.	523.25
Deposit in Suffolk Savings Bank	493.00
Twenty-one thousand dollars in bonds of Boston & Albany R.R.	21,630.00
Five thousand dollars in Philadelphia, Wilmington, & Baltimore R.R.	4,500.00
	<u>\$29,146.25</u>

ROBERT M. MASON, } Committee.
W. AMORY, }

The property of the Society is as follows:—

Real estate on Tremont Street.

Twenty-one thousand dollars in bonds of Boston & Albany R.R.

Five thousand dollars in bonds of the Philadelphia, Wilmington, & Baltimore R.R.

Ten shares in stock of ditto.

Deposit of \$493 in Suffolk Savings Bank.

Bond of the Hannibal & St. Joseph R.R. of one thousand dollars.

Bond of the Quincy & Palmyra R.R.

Five thousand volumes of the Society's Publications; viz., 41 of Collections, 10 of Proceedings, 2 of the Catalogue, and 1 of Lectures.

Library of 17,852 volumes and 40,000 pamphlets.

The Dowse Library, of 4,650 volumes.

The Cabinet, consisting of pictures, medals, and statuary.

The copyright of plates of the Life of John Q. Adams.

The income of the Society consists of an annual assessment on each resident member of ten dollars, the admission-fee of ten dollars, the rent of the building, the interest on the Peabody and Savage Funds, and on \$2,000 bonds.

The obligations of the Society are the annual interest to the Appleton Fund, to the Dowse Fund, and to the Massachusetts Historical Trust-Fund, and the interest on its mortgage note.

It owes the Merchants Bank \$1,800, borrowed on the Quincy and Palmyra, and Hannibal and St. Joseph Railroad bonds, and \$2,500 on a note signed by the Treasurer and President.

The liberality of the members, in paying the subscriptions towards the publication of new volumes of the "Collections," has enabled me to meet the demands on the treasury.

Respectfully submitted.

RICHARD FROTHINGHAM, *Treasurer.*

Boston, April 8, 1874.

Report of the Cabinet-keeper.

The Cabinet-keeper reports that during the past year gifts to the Cabinet have been received from thirteen different persons, four of whom are members of the Society.

Among the most noteworthy articles received are profile likenesses of George Washington and of Colonel John Washington, the bequest of Joshua F. Fisher of Philadelphia; a bronze medallion of William Roscoe, sent with other gifts by Miss Dorothy L. Dix of Boston; a pen-and-ink profile likeness of George Washington, from Mr. A. H. Safford of Cambridge; a portrait of the late Hon. David Sears, by Pratt of Boston, from Mr. Winthrop; and relics of the Chicago fire, from Mr. Lawrence.

The Cabinet-keeper is indebted to Messrs. Perkins and Appleton, now of the committee on the Cabinet from the

Council of the Society, for valuable assistance, his own pressing business engagements having left him less time for the duties of his office than might advantageously be spent in their discharge.

Respectfully submitted.

HENRY G. DENNY, *Cabinet-keeper.*

Boston, April 9, 1874.

Mr. SALTONSTALL, from the Committee on Nominations, submitted the following list of officers for the ensuing year, which was unanimously adopted:—

President.

HON. ROBERT C. WINTHROP, LL.D. BOSTON.

Vice-Presidents.

HON. CHARLES F. ADAMS, LL.D. BOSTON.

HON. EMORY WASHBURN, LL.D. CAMBRIDGE.

Recording Secretary.

CHARLES DEANE, LL.D. CAMBRIDGE.

Corresponding Secretary.

REV. CHANDLER ROBBINS, D.D. BOSTON.

Treasurer.

HON. RICHARD FROTHINGHAM, A.M. CHARLESTOWN.

Librarian.

SAMUEL A. GREEN, M.D. BOSTON.

Cabinet-keeper.

WILLIAM S. APPLETON, A.M. BOSTON.

Standing Committee.

HON. NATHANIEL B. SHURTLEFF, M.D. BOSTON.

AUGUSTUS T. PERKINS, LL.B. BOSTON.

ROBERT M. MASON, Esq. BOSTON.

FRANCIS W. PALFREY, LL.B. BOSTON.

EDMUND QUINCY, A.M. BOSTON.

The thanks of the Society were presented to Mr. Denny, the late Cabinet-keeper, who had declined a renomination, for his services in that office for the last six years.

Also the thanks of the Society were voted to Mr. Waterston and to Mr. Appleton, the retiring members of the Standing Committee, for their services on that Committee.

Voted, to give the Building Committee full power to introduce the new improvement for making the roof of the Society's Building more completely fire-proof, if in their judgment it was expedient.

The President notified the meeting that the Council had accepted an invitation to the Society to meet at his house on the evening of the 16th instant.

MEMOIR
OF
HON. WILLIAM BRIGHAM.

BY CHANDLER ROBBINS, D.D.

WILLIAM BRIGHAM was born in Grafton, Mass., Sept. 6, 1806, at the old homestead, secured by his great-grandfather, Charles Brigham, one of the forty original grantees to whom the deed of conveyance of the town was given by the Indians, on the 19th of March, 1728. His father was Charles (born July 27, 1769, died Dec. 2, 1847); his mother, Susanna Baylis (died June 10, 1837).

He fitted for college partly at Leicester Academy, and partly at Westboro', where he taught in the village school. From the former place, twelve miles distant from his home, he was accustomed to walk every Saturday afternoon to spend the Sabbath with his parents.

He entered Harvard College in 1825, older and more fully grown than most of his classmates; with a strong constitution, and vigorous health, established by the excellent physical and moral habits of his youth. Diligent and faithful as a student, conscientiously obedient to the college laws, manly and irreproachable in character, he secured the respect and kindly regard both of the Faculty and the class.

Soon after having received his Bachelor's Degree in 1829, he came to Boston; and by a fortunate coincidence, as he always regarded it, while on his way from Grafton in the stage-coach met a lady, the wife of Hon. George Morey, then a lawyer of repute in Boston, who, on learning the object for which he was going to the city, kindly offered to introduce him to her husband. This circumstance led to his studying law in Mr. Morey's office, and had an important influence upon his future career. He was admitted to the bar in 1832.

He represented Boston in the General Court in 1834, 1835, and 1836, again in 1841, and still again in 1849, and was a member of the Massachusetts Senate in the Legislature of 1866. In the year 1836 he was appointed by Governor Everett to edit

the laws of Plymouth Colony, which office he discharged with his habitual fidelity and accuracy. He was admitted to the Supreme Court of the United States, on motion of Mr. Webster, Dec. 28, 1847.

Mr. Brigham delivered Addresses on several occasions, among which was that at the Centennial Anniversary at Grafton, April 29, 1835, which was printed; one at Leicester Academy, August, 1850; an Address before the Worcester County Agricultural Society in 1835, and another before the Westboro' Agricultural Society in 1855. He also delivered a lecture before the Lowell Institute, Jan. 19, 1869, on "The Colony of New Plymouth, and its relations to Massachusetts," which was published, together with other lectures by members of the Massachusetts Historical Society, on "The Early History of Massachusetts."

He was married, June 11, 1840, to Margaret Austin Brooks. His children are William Tufts, H.U. 1862, Charles Brooks, H.U. 1866, Edward Austin, Mary Brooks, and Arthur Austin. In 1848 he purchased the interest of his brothers and sisters in the Brigham Hill Homestead in Grafton, and for the rest of his life made that his summer residence. He died in Boston, July 9, 1869.

Mr. Brigham was an able lawyer, and had a large practice; but his devotion to his professional duties did not prevent him from taking an active interest in public affairs and in philanthropic enterprises. His cheerful and hopeful temper, his healthiness of mind, and the animation with which he worked, contributed in no small measure to his influence and success. He was a prudent and trusted counsellor, and a useful and upright man.

SPECIAL MEETING, APRIL, 1874.

A Social Meeting of the Society was held at the house of the President, 90 Marlboro' Street, on the evening of the 16th April.

The President took the chair at a little after 8 o'clock, and entered upon the duties of the evening by presenting to the Society a copy of Vol. I. of the "Codex Diplomaticus Cavensis," to which he and others in this country had subscribed at the suggestion of Count Circourt of Paris. He also gave a copy of a recent pamphlet issued by the Peabody Educational Fund.

He then read a letter addressed to himself by the late Professor Agassiz, introducing it as follows:—

I have thought, Gentlemen, that I might occupy a few moments this evening, not altogether inappropriately, by presenting to the Society, with a few words of explanation, a letter from the late Professor Agassiz, on a subject of public interest, addressed to me nearly nine years ago, under somewhat peculiar circumstances.

It happened that Mr. George Peabody, on his arrival in this country, in the summer of 1866, did me the honor to take me into his confidence and counsel, in regard to the great benefactions which he was proposing for his native land. He came out to my residence at Brookline, and spent two or three days with me in consultation. On one of these days I sent for Professor Agassiz to meet him at dinner. Agassiz accepted the invitation and came. But, before coming, he addressed this letter to me, understanding that Mr. Peabody might possibly be influenced, in some degree, by my advice.

In this letter, without asking any thing for himself, or for the particular work in which he was engaged, he unfolded, in the most unselfish way, his own views as to one of the great needs for the successful prosecution of scientific, and indeed of philosophical and literary, studies in our country.

The letter is too interesting and too important to be lost or left unpublished; and as Mr. Peabody, not long afterwards, became one of our greatest benefactors, and was placed on our Honorary Roll, and as he made the President of our Society (*ex officio*) one of the Trustees and Guardians of his Museum of Archæology and Ethnology at Cambridge, it has seemed to me not unfit that this letter of Agassiz should find a place in our archives, and be printed in our Proceedings.

The letter is as follows:—

NAHANT, Oct. 1, 1866.

DEAR SIR, — I accept with great pleasure your invitation for next Wednesday at 5 o'clock, and shall be most happy to see you and Mrs. Winthrop at home. You say it is to meet Mr. G. Peabody, of London, and this induces me to write a few lines more. I have met Mr. P. before, but never made an allusion to his liberality that could look like begging, as I hate to bore rich men in that way; but I am told Mr. P. intends to benefit our public institutions, and that he has consulted with you upon this subject. Permit me, therefore, to lay before you a few thoughts which have lately occupied my mind, and indeed excited me much; and, if you see fit, communicate this letter to him.

The great boast of Monarchies is that they patronize letters, arts, and science as Republics never did and never can. Is there no way to remedy this difficulty? Can republics, and ours in particular, not be made to do as much, if not more, in that direction, than ever was done anywhere and at any time? And can it not be done in a truly republican spirit, relieving those that are benefited from the feeling of dependence, without depriving the patrons of any credit due to them? This is the theme which I have been discussing and which I think susceptible of solution. The man or men who carry out an efficient plan to solve this difficulty will have done more for the United States than the founders of some empires did for humanity.

To show the full extent of the difficulty, I will suppose a case. How could a work like Lepsius' Egypt be published in this country? The government would and should not undertake it, in accordance with the spirit of our institutions. No bookseller could do it without ruining himself. There remains the resort to a subscription by which rich men are expected to give money for what they do not care. This is an objectionable method, and one which may at any time be stopped after it has been carried too far. We want permanent arrangements to supply at all times the means for carrying out any great artistic, literary, or scientific undertaking, without boring anybody.

It might be thought that an immense fund — millions of dollars — would be insufficient to establish a machinery that would do such work. I think not. I am even satisfied that one single organization which would assume such responsibilities would fail, even if it had money enough; as it would of necessity be under the supervision and guidance of a few men, who would foster what *they* like and leave what they do not like to take care of itself. It would, moreover, be local in its character and influence. I want something that shall work with equal intensity North and South, East and West; and that should go into operation at the rate of the advancing civilization of the whole country.

Suppose, now, we had all over the States two or three thousand associations akin in organization to those which the instincts of the people are so quick in establishing when politics are concerned, but intended to foster letters, arts, and science. Suppose that each of these associations could spend fifty or a hundred dollars a year for

these noble purposes, there is not a literary, or artistic, or scientific undertaking of any magnitude that need be given up from want of means, if these associations would co-operate, and in their disagreements they would support what single men or single institutions would allow to perish. The question is simply how to organize such associations and give them vitality. Time and proper stimulants may do it. And now I come to my special point. If what I propose is not a panacea, which I do not believe it to be, any more than any other Utopian plan, I am sure it would be a potent stimulus in the right direction.

Our people are greedy for knowledge; and if science does not make more rapid progress in this country, it is simply owing to the fact that knowledge is extensively circulated only *in its cheap, elementary forms*. Our academies, and even the Smithsonian Institution, publish only a few hundred copies of their transactions; the Smithsonian, about one thousand, most of which are distributed ABROAD. Great scientific works are never seen in our schools, hardly in our public libraries; and where they are on hand, it is difficult to secure access to them. I want to see such publications reach the whole population. And, as I understand scientific matters better than literary or artistic ones, I will limit my remarks to what I consider practicable for science in that direction. A series of handsomely illustrated original works on Natural History, *printed in large editions*, and distributed gratuitously to every association that would itself undertake to spend annually a small sum of money for the purchase of other costly books, would go far towards stimulating the organization of associations like those to which I have alluded above. But, even considered in itself, the plan of publishing a large series of costly original works, to be distributed gratuitously, is worth considering as a national benefit. In the first place, I know of the existence of numerous such works, which neither the Smithsonian Institution, nor any other learned society, have the means of publishing, and therefore remain in the authors' desks, as no bookseller will touch such works. The country and the world are the losers for this. I know that the authors of such investigations would gladly give them away, if they only could be published. I am certain that such works could be published in a manner to serve as models for other original researches, and to stimulate such researches where the methods of scientific investigations are not even dreamed of. Such publications could not fail to raise the character of the studies in every other department throughout the country. There are only two difficulties in the way of giving publicity to such intellectual labors: 1. There is no learned society so organized as to undertake the superintendence of such publications; 2. There are no means to carry out the publications, if anybody would undertake to superintend the work.

It is to this I would request you to call Mr. Peabody's attention. You need not mention my name in connection with the subject, unless he should wish to inquire in what manner the first of the above-named difficulties, that of superintending such publications, might be obviated, as I believe I could suggest a practicable plan; and there would be no

use in broaching the subject unless some gentleman looked with sufficient favor upon such a plan as to furnish the means of carrying it out.

Hoping you may have the patience to read through this long epistle,
I remain,

With high regard,

Yours very truly,

Hon. ROBERT C. WINTHROP.

L^d. AGASSIZ.

P.S. — Perhaps a few hints as to how and where may be of practical use. Suppose Mr. Peabody should feel inclined to give the necessary money to carry out such a plan, I would propose that all the works or papers so publishing should appear in the form of quarto volumes or parts of volumes, with numerous, most finished, and, if necessary, colored plates, of uniform size, under the title of "*Peabody's Contributions to the Natural Sciences*:" An edition of 2500 or more copies to be printed, and the successive volumes to be distributed gratuitously: First, to the first 2000 associations which would furnish the evidence that they spend a certain sum annually in the purchase of serious books, and are prepared to spend another smaller sum in the support of the publication of costly works, which could not be published by the ordinary means of the book trade: Second, 500 copies to be reserved for future use, or to be in part given to the authors for private circulation, or as a compensation to the institution or men who would superintend the publication and distribution of the volumes as they can be brought out. With sufficient means, I am certain that *one large quarto volume* could easily be published *annually*, of such high value as to be not only an equivalent for the co-operation of scientific associations in this great work, but even to stimulate the organization of other similar associations where none exist thus far, gradually calling into existence a sufficient number of such associations as would relieve science from all necessity of future government or individual patronage.

As soon as the Museum of Comparative Zoölogy at Cambridge is fully organized, according to the plans which I have laid before the Faculty, that Institution could easily undertake the superintendence and publication of such a series of Works and Papers without any expense to the founder of the future "Contributions to the Natural Sciences." It should be amply compensated for its co-operation by appearing upon the title as "published under the supervision of the Museum of Comp. Z. in Cambridge;" nobody's name there except that of the founder of the contributions.

The President continued: —

The great idea of this letter, as you will have perceived, is the importance and necessity, for Science, Literature, and the Arts, and we may well add for History also, of *Publication Funds*, through which Works which have no element of popularity in them, and which could not command a publisher or a remunerating sale, may not be allowed to perish in the manuscript, or be suffered to die unwritten in the brains of discour-

aged students, but may be printed and circulated for the benefit of mankind.

I did not fail to communicate the letter to Mr. Peabody, and, possibly, we may have in some degree owed to its suggestions the Publication Fund of \$20,000, with which he not long afterwards endowed our own Society. But his plans were already too nearly matured for him to adopt the idea of Agassiz in its full comprehensive scope. That idea, however, I have always considered as of great interest and value; and I cannot help hoping that the very Memorial Fund, for which his lamented death has given occasion, may be so far extended as to include what was so near his own heart, as a Publication Fund for the purposes of his great Museum, if not of Science in general.

Meantime, I present the original letter as a precious autograph for our Collections. He once reclaimed it for the purpose of making a copy for his own keeping, thus showing the importance he attached to it; but he soon returned the original, and left it at my disposal.

I cannot part from the subject of Agassiz, Gentlemen, without giving you an anecdote which has been recalled to my mind during my preparations for another ocean voyage. In 1859, I was a fellow passenger of his across the Atlantic, and, of course, I enjoyed not a little of his charming society and conversation. We sailed from Boston on the 15th of June, and for several days we were enveloped in a dense fog. On the sixth day out, June 20th, the fog continued till nearly 7 o'clock in the evening, when it suddenly vanished, and we had the full glory of a setting sun at sea. Meanwhile, however, the lifting mist had unveiled two enormous Icebergs, one on our larboard and the other on our starboard, ten or twelve miles distant from the ship, — near enough to be exquisitely beautiful, but, happily, not near enough to be immediately dangerous. Yet we might easily have run on one of them, had not the cloudy curtain been seasonably withdrawn, as it was, by an unseen Hand. Agassiz had never before encountered an Iceberg, and I shall not soon forget his exclamations of delight. "O Captain," he cried out, "if I could only have a boat to go and examine one of those icy masses! I could find out all about it, and tell you exactly where it came from." "But one of these days," he added, "I will go out in a Coast Survey steamer, and make a special examination of an Iceberg for myself." We passed safely through the crystal gateway, leaving both its columns astern, before bed-time; but hardly had I reached my state-room when Agassiz was calling out to me to come up again and see the wonderful phosphorescence of our

wake. We were passing through a field of *Medusæ*, and they seemed to have put on an unwonted sparkle and splendor, as their great observer and investigator stood watching them over the taffrail.

It was during this voyage, too, that, knowing I was about to spend a few weeks in Switzerland, he was eager to tell me exactly how to get a first view of the Alps to the best advantage. "Enter Switzerland," said he, "by Dijon, Besançon, and Pontarlier, taking a private carriage through the pass of the Jura to a height called La Tourne, and so by Val Travers to Neuchâtel." "The view which bursts upon you at La Tourne," said he, "is the finest view in all Switzerland."

And here is a little map of the route, which he made with his own pencil at the moment,—for fear I should forget his instructions.

But there was one other brief conversation of his, which was worth all the rest. Humboldt had recently died, and I had called his attention to the fact, that some European Naturalist, whose name I will not attempt to recall, had said of Humboldt, by way of distinction and eulogy, that he had fairly ruled God out of the universe. "Yes," said Agassiz, with all his characteristic energy and emphasis, "and I have just written to a friend, to tell that man that he has uttered an infamous slander on Humboldt."

Humboldt, you may all remember, was one of our early Honorary Members, elected when our Society embraced Natural, as well as Civil, History in its designs. Had we not abandoned that field of research to other Associations more expressly adapted for its culture, I need not say how proudly we should have included Agassiz on our roll. And I am sure that it will give us all pleasure to have found an occasion, this evening, for remembering, as a Society, one whom so many of us will never forget as the most charming and cherished of friends, whom Massachusetts and our whole country will ever count among the grandest and noblest of our adopted sons, and whom Science throughout the world has long ago enrolled among its most illustrious votaries.

I turn now, Gentlemen, without further delay, to what I am sure will prove the most interesting and gratifying feature of this occasion.

Having heard, for a year or two past, from no unauthentic source, that a well-known confidential and devoted friend of a former illustrious member of our Society, Mr. Webster, was proposing, and had indeed decided, to commit to our safe-keep-

ing, as a gift to our Cabinet, some very precious commemorative Medals, which originally were awarded to Washington, and were in his possession until his death, and which many years afterwards became the property of Mr. Webster, I was desirous that so signal and acceptable a gift should be made under circumstances in some degree appropriate to its interest and value, and in a presence not unworthy of the great names with which it must ever be associated.

In this view, I have invited the generous donor not only to take a place among our welcome guests this evening, but to bring his treasures with him and to make the presentation personally, and thus to afford us the satisfaction of receiving the Medals from his own hand.

Without further preamble, I will call on the Hon. Peter Harvey.

Mr. HARVEY then said : —

MR. PRESIDENT, — The history of the Washington Medals, so far as it is known to me, was all derived from Mr. Webster, in whose possession they were for more than a quarter of a century. This account is substantially that in the year 1824 or 1825, while at his breakfast table, reading the morning papers, in the city of Washington, his eye accidentally fell upon the advertisement of a pawn-broker, offering the medals for sale. He hastened to the office of the broker, and, satisfying himself as to their genuineness, paid the price demanded. He immediately addressed a letter to Judge Bushrod Washington, the nearest living representative of General Washington, and the administrator of his estate, then residing at Mount Vernon, stating the circumstances and way in which he became possessed of the medals, and offering to restore them to his family. In his reply, Judge Washington gave a brief history of the medals, stating that he, as administrator, disposed of them and similar articles by auction among the heirs-at-law of General Washington, no others being allowed to enter into competition with them for the purchase. The medals were bought by a Mr. Lewis, — Lawrence Lewis, I think, was his name ; and from him they descended to his son, who held a minor office in the Treasury Department, quite inadequate to the support of his family. He at first pawned, and afterward authorized the broker to sell them. Judge Washington concluded his letter by thanking Mr. Webster for his kind offer, saying, ‘ I am childless and not rich ; in a few years, at the longest, the same process will have to be gone over again ; and, as the medals are now in good hands, I pray you to keep them.’

Mr. Webster placed a very high value on these memorials, as having been struck in Paris under the superintendence of General Lafayette, as a gift to Washington; and, it is believed, by order of the French Government,—thus associating them with three of the most distinguished personages in our history, Washington, Lafayette, and Webster.

The simple statement of the fact that less than three quarters of a century from the time they were presented to the illustrious Father of his Country finds them in my possession is quite sufficient to show that such memorials and historic treasures should not be left to the changes and chances of individual ownership. Entertaining these views, I beg to place them in the custody of the Massachusetts Historical Society, over which you, sir, preside with so much dignity and usefulness.

After remarks by Mr. ADAMS and Mr. SALTONSTALL, expressive of their high sense of the value of this generous gift to the Cabinet of the Society, the following resolutions were offered and unanimously adopted:—

Resolved, That the best thanks of this Society are hereby returned to the Hon. Peter Harvey for his most acceptable and splendid gift to our Cabinet of "the Washington Medals," originally belonging to the Father of his Country, and more recently the cherished property of Daniel Webster.

Resolved, That the Cabinet-keeper be instructed to procure a silver plate to be inserted in the cover of the case containing these medals, on which shall be engraved a concise account of their origin, and the names of the several eminent persons through whose hands they have passed before reaching the Cabinet of the Historical Society.

The following description of the medals has been prepared by our associate, Mr. W. S. APPLETON:—

Description of the Washington Medals.

I. GEORGIO WASHINGTON SVPREMO DVCI EXERCITVVM ADSEPTORI LIBERTATIS COMITIA AMERICANA; head of Washington facing the right; below DU VIVIER PARIS. F. Rev. HOSTIBUS PRIMO FUGATIS; in exergue BOSTONIUM RECUPERATUM XVII. MARTII MDCCLXXVI.; at the left, Washington with four officers, all on horseback; at the right, a fort, and near it two cannon,—on one DUVIV.,—and cannon-balls lying on the ground; in the middle distance, soldiers under arms; beyond is a view of Boston lying near the water, on which are several vessels just sailing away. Size 43.

In Congress, 25 March, 1776, sundry letters were read: "One from General Washington of the 19th, wherein he informs Congress, that on the 17th the enemy evacuated Boston, and our troops took possession of it: *Resolved*, That the thanks of this Congress, in their own name, and in the name of the thirteen United Colonies, whom they represent, be presented to his Excellency General Washington, and the officers and soldiers under his command, for their wise and spirited conduct in the siege and acquisition of Boston; and that a medal of gold be struck in commemoration of this great event, and presented to his Excellency; and that a committee of three be appointed to prepare a letter of thanks, and a proper device for the medal. The members chosen, Mr. J. Adams, Mr. Jay, and Mr. Hopkins." The dies are still in the French mint.

II. HORATIO GATES DUCI STRENUO; in exergue COMITIA AMERICANA; bust of Gates facing the left; to the right below N. GATTEAUX. REV. SALUS REGIONUM SEPTENTRIONAL.; in exergue HOSTE AD SARATOGAM IN DEDITION. ACCEPTO DIE XVII. OCT. MDCCLXXVII.; at the right Gen. Gates, to whom Gen. Burgoyne is giving his sword; behind Gates are soldiers under arms, and near them an olive-tree; behind Burgoyne are soldiers laying down their arms; on the ground a drum, flag, mortar and cannon-balls; in the distance hills; below to the left GATTEAUX F. Size 35.

In Congress, 4 November, 1777, "*Resolved*, That the thanks of Congress, in their own name, and in behalf of the inhabitants of the thirteen United States, be presented to Major-general Gates, commander-in-chief in the northern department, . . . and that a medal of gold be struck under the direction of the board of war, in commemoration of this great event, and in the name of these United States presented by the President to Major-general Gates."

III. ANTONIO WAYNE DUCI EXERCITUS; in exergue COMITIA AMERICANA; at the left an Indian Queen, who holds a mural crown in her left hand, and with her right presents a laurel-crown to Gen. Wayne; at her feet are an alligator, a rope, and the shield of the United States; below the general GATTEAUX. REV. STONEY-POINT EXPUGNATUM; in exergue XV JUL. MDCCLXXIX.; a view of the assault including both sides of the river, the fort in the distance; below at the left GATTEAUX. Size 34.

IV. JOANNI STEWART COHORTIS PRÆFECTO; in exergue COMITIA AMERICANA; at the right an Indian Queen, who presents a palm-branch to Major Stewart; her left hand rests on and supports the shield of the United States, and at her feet are an alligator and a rope; below the major GATTEAUX. REV. STONEY-POINT OPPUGNATUM; in exergue XV JUL. MDCCLXXIX.; a view of the assault, a charge in the foreground; below at the left GATTEAUX. Size 29.

V. VIRTUTIS ET AUDACIÆ MONUM. ET PRÆMIUM; in exergue D. DE FLEURY EQUITI GALLO PRIMO SUPER MUROS RESP. AMERIC. D. D.; a man in ancient armor standing in the ruins of a fort, with a short sword in right hand, and in left a flag, on which he places his right foot; on a stone of the fort DU VIVIER S. REV. AGGERES PALU-

DES HOSTES VICTI; in exergue STONY-PT. EXPUGN. XV. JUL. MDCCCLXXIX.; a bird's-eye view of the fort; beyond is the river with six vessels. Size 29.

In Congress, 26 July, 1779, letters were read announcing the capture of Stony Point, and it was "*Resolved, unanimously*, That a medal, emblematical of this action, be struck: That one of gold be presented to Brigadier-general Wayne, and a silver one to Lieutenant-colonel Fleury and Major Stewart respectively."

The next day Congress also "*Resolved*, That the board of treasury cause the medals, in honor of the commander-in-chief and other officers of the United States, to be struck without delay, agreeably to the several resolutions of Congress on this subject."

VI. DANIELI MORGAN DUCI EXERCITUS; in exergue COMITIA AMERICANA; *dupre f.*; at the left an Indian Queen, who places a laurel-crown on the head of General Morgan, who bends to receive it, resting his right hand on his sword; behind them the shield of the United States, an olive-branch, cannons, a drum, trumpet, flags, &c., and at the right an open landscape. Rev. VICTORIA LIBERTATIS VINDEXT.; in exergue FVGATIS CAPTIS AVT CAESIS AD COWPENS HOSTIBVS XVII. JAN. MDCCCLXXXI.; DUPRE INV. ET F.; a view of the battle, with General Morgan leading on a body of infantry, before whom the English are fleeing. Size 36.

VII. GULIELMO WASHINGTON LEGIONIS EQUIT. PRÆFECTO; in exergue COMITIA AMERICANA; a view of the battle of the Cowpens, with Colonel Washington leading a charge of cavalry after the enemy; in the air above a flying figure of Victory, with laurel-crown and palm-branch; at right below the horse DUV. Rev. QUOD PARVA MILITUM MANU STRENUÈ PROSECUTUS HOSTES VIRTUTIS INGENITE PRÆCLARUM SPECIMEN DEDIT IN PUGNA AD COWPENS. XVII. JAN. MDCCCLXXXI., in seven lines within a wreath of laurel, tied by a bow at top and bottom. Size 29. The dies are in the French mint.

VIII. JOH. EGAR. HOWARD LEGIONIS PEDITUM PRÆFECTO; in exergue COMITIA AMERICANA; Colonel Howard on horseback, before him a color-bearer running, and beyond them a flying figure of Victory, with laurel-crown and palm-branch; below at left DU VIV. Rev. QUOD IN NUTANTEM HOSTIUM ACIEM SUBITO IRRUENS PRÆCLARUM BELLICÆ VIRTUTIS SPECIMEN DEDIT IN PUGNA AD COWPENS XVII. JAN. MDCCCLXXXI., in seven lines within a wreath of laurel tied by a bow at top and bottom. Size 29. The dies are in the French mint.

In Congress, 9 March, 1781, *Resolved*, "That a medal of gold be presented to Brigadier-general Morgan, and a medal of silver to Lieutenant-colonel Washington, of the cavalry, and one of silver to Lieutenant-colonel Howard, of the infantry of the United States; severally with emblems and mottoes descriptive of the conduct of those officers respectively on that memorable day," viz. of the Cowpens.

IX. NATHANIEL GREEN EGREGIO DUCI COMITIA AMERICANA; bust of Green in uniform facing the left. Rev. SALUS REGIONUM AUSTRALIUM; in exergue HOSTIBUS AD EUTAW DEBELLATIS DIE VIII SEPT. MDCCCLXXXI.; Victory with laurel-crown and palm-branch

resting on her left foot on a broken shield, near which are another shield, flags, a broken sword, helmet, laurel-branch, &c.; to left DUPRE. Size 35.

In Congress, 29 October, 1781, "*Resolved*, That a British standard be presented to Major-general Greene, as an honorable testimony of his merit, and a golden medal emblematical of the battle and victory aforesaid," viz. of Eutaw Springs.

X. LIBERTAS AMERICANA; in exergue 4 JUL. 1776; a beautiful head of Liberty facing the left, with hair loosely streaming backwards; over the right shoulder a pole, on which is a Phrygian cap; on edge of bust DUPRE. Rev. NON SINE DIIS ANIMOSUS INFANS; in exergue ¹⁷ OCT. ¹⁷⁷⁷ ₁₇₈₁; the infant Hercules in his cradle, strangling two serpents, while Pallas protects him, with a spear in her right hand, and in her left a shield charged with the lilies of France, against which a leopard is throwing himself; to right DUPRE. F. Size 30. This medal was struck in Paris under the direction of Franklin. See Proceedings for 1869-70, p. 301.

XI. BENJ. FRANKLIN NATUS BOSTON. XVII. JAN. MDCCCVI.; bust of Franklin facing the left; on edge of bust DUPRE. F. Rev. ERIPUIT CELO FULMEN SCEPTRUM QUE TYRANNIS, in four lines within a wreath of oak; below SCULPSIT ET DICAVIT AUG. DUPRE ANNO MDCCCLXXXVI. Size 29. The dies are in the French mint.

These medals were engraved by Dupré, Du Vivier, and Gatteaux, three famous French medallic artists of the time. Some statements concerning them are made in a small pamphlet on the "National Medals of America," published in 1854 for Thomas Wyatt. Unfortunately his reputation for accuracy is not so good as could be wished. He says that the medals "for General Wayne, Colonel de Fleury, and Major Stewart, were executed under the direction of Dr. Franklin, and those presented to Generals Washington, Gates, Greene, Morgan, Howard, and William Washington, were executed under the direction of Thomas Jefferson." I do not find the evidence of this, but have no reason to doubt the truth of the following statement by him, that, "At the time the gold medals were struck, the French Government presented a series in silver to General Washington, which medals, after the decease of the General, were offered for sale, and purchased by the late Hon. Daniel Webster, who kindly loaned them to the Publisher."

Chief Justice GRAY submitted for the inspection of the members of the Society Chief Justice Cushing's original note-book of the trials before the Supreme Judicial Court of Massachusetts at the terms held in the County of Worcester in 1783, (which had been intrusted to him for the purpose by Mr. William Cushing Paine, the namesake and great grand-nephew of Chief Justice Cushing), and read therefrom the minutes of the trial at April Term 1783 of the case of *The Commonwealth v. Nathaniel Jennison*, in which it was established that

slavery was wholly abolished in this Commonwealth by the Declaration of Rights prefixed to the Constitution of 1780.

These minutes, now printed for the first time, and copied *verbatim* from the note-book of the Chief Justice, altering nothing but the abbreviations and errors in spelling incident to memoranda of this kind, and adding in brackets what is necessary to render them easily understood, are as follows:—

“INDICTMENT, found September, 1781, *vs.* NATHANIEL JENNISON of Barre, for an assault on Quack Walker, and beat with a stick 1st May, 1781, and imprisoned two hours.

[*Opening of the Attorney-General.*]

“Born in Caldwell’s house, who engaged he should have his freedom at 25—his widow, who married defendant, promised the same when he was 28—dismissed—and defendant attempted [to retake him?]

[*Testimony for the Government.*]

“*Mr. Caldwell.* The negro came to my house about a week before the warrant. He was at work in my field with a team working—heard a screaming—got upon a knoll 5 or 6 rods from Jennison and several others, who had got the negro down, young fellow upon the negro, I took him off—bruised his fingers—carried him off—went to a saw-mill—and told Jennison his master had freed him—and Winslow let him go—wounds in his hands and arms. My brother said always he should be free at 25—Mrs. Caldwell [that he should be free at 21?]

“*Quack.* I was harrowing. 10 years old when master Caldwell died. Mrs. lived a number of years before she married again. I lived with Dr. Jennison 7 years and $\frac{1}{2}$ after I was 21. My old master said I should be free at 24 or 25. Mistress told me I should be free at 21—said so to Jennison, before and after marriage.

“*Defence.*

“From Zachariah Stone to Caldwell, deceased—Bill of Sale of Mingo and Dinah, 1754, and Quaco, 9 months old.

“*Charles Baker.* I was divider of Caldwell’s estate. (About 20 years ago he died.) 2 or 3 years after, the widow received Quaco as part of her dividend.

“*Mr. Jones.* Quaco lived with Caldwell till he died—appraised at £40—set off to his Mrs. as part of her personal estate. She married Jennison about 1770, and died about 3 years after.

“*Joshua Winslow.* I was desired by defendant to help him reclaim Quaco.

[*Charge of the Chief Justice.*]

"Fact proved.

"Justification that Quack is a slave — and to prove it 'tis said that Quack, when a child about 9 months old, with his father and mother was sold by bill of sale in 1754, about 29 years ago, to Mr. Caldwell, now deceased; that, when he died, Quack was appraised as part of the personal estate, and set off to the widow in her share of the personal estate; that Mr. Jennison, marrying her, was entitled to Quack as his property; and therefore that he had a right to bring him home when he ran away; and that the defendant only took proper measures for that purpose. And the defendant's counsel also rely on some former laws of the Province, which give countenance to slavery.

"To this it is answered that, if he ever was a slave, he was liberated both by his master Caldwell, and by the widow after his death, the first of whom promised and engaged he should be free at 25, the other at 21.

"As to the doctrine of slavery and the right of Christians to hold Africans in perpetual servitude, and sell and treat them as we do our horses and cattle, that (it is true) has been heretofore countenanced by the Province Laws formerly, but nowhere is it expressly enacted or established. It has been a usage — a usage which took its origin from the practice of some of the European nations, and the regulations of British government respecting the then Colonies, for the benefit of trade and wealth. But whatever sentiments have formerly prevailed in this particular or slid in upon us by the example of others, a different idea has taken place with the people of America, more favorable to the natural rights of mankind, and to that natural, innate desire of Liberty, with which Heaven (without regard to color, complexion, or shape of noses) features) has inspired all the human race. And upon this ground our Constitution of Government, by which the people of this Commonwealth have solemnly bound themselves, sets out with declaring that all men are born free and equal — and that every subject is entitled to liberty, and to have it guarded by the laws, as well as life and property — and in short is totally repugnant to the idea of being born slaves. This being the case, I think the idea of slavery is inconsistent with our own conduct and Constitution; and there can be no such thing as perpetual servitude of a rational creature, unless his liberty is forfeited by some criminal conduct or given up by personal consent or contract.

"Verdict guilty."

NOTE BY CHIEF JUSTICE GRAY.

The original indictment in this case is preserved, with such other records and papers of the Superior Court of Judicature and the Supreme Judicial Court before August 1797, as have come down to us, in the clerk's office in Boston, and is as follows: —

"Worcester, ss. At the Supreme Judicial Court begun and holden at Worcester within and for the County of Worcester on the third Tuesday of September in the year of our Lord one thousand and seven hundred and eighty-one.

"The Jurors for the Commonwealth of Massachusetts upon their oath present that Nathaniel Jennison, of Barre in the County of Worcester aforesaid, yeoman, on the first day of May last past at Barre in the said County of Worcester in and upon one Qock Walker, then and there in the peace of GOD and of this Commonwealth being, with force and arms an assault did make, and then and there, with force as aforesaid, with his the said Nathaniel's fist and a large stick which the said Nathaniel then and there held in his hand, the said Qock did beat, bruise, and evilly entreat, and him the said Qock, with force as aforesaid, without warrant, just cause, or lawful authority, did imprison during the space of two hours, in evil example to others to offend in like case, to the damage of the said Qock, against the peace of the Commonwealth aforesaid and dignity of the same. A true bill.

"OLIVER WHITNEY, Foreman."

"R. T. PAINE, *Att'y pr Repub.*"

The record of April Term 1783 sets forth the indictment in full, and proceeds as follows:—"This indictment was found September Term A.D. 1781. And now in this present term the said Nathaniel Jennison comes into court and has this indictment read to him, he says that thereof he is not guilty and thereof for tryal puts &c. A jury thereupon is impannelled and sworn to try the issue, viz: Jonas How, foreman, and fellows, viz: William McFarland, Isaac Choate, Joseph Bigelow, John White, Daniel Bullard, Ebenezer Lovell, Phillip Goodridge, John Lyon, Johnathan Woodbury, Thomas White and John Town, who after hearing all matters and things concerning the same return their verdict and upon their oath do say that the said Nathaniel Jennison is guilty. It is therefore considered by the Court that the said Nathaniel Jennison pay a fine to the Commonwealth of Forty Shillings, pay cost of prosecution, and stand committed till sentence be performed.—Cost taxed at £ ."

This term appears by the record to have been held by the whole court, consisting of William Cushing, Chief Justice, and Nathaniel Peaslee Sargeant, David Sewall, and Increase Sumner, Justices.

William Cushing was born in 1732, graduated at Harvard College in 1751, and was appointed in 1772 a Justice of the Superior Court of Judicature. Upon the breaking out of the Revolution, and the removal by the General Court of all officers holding commissions under the King, the Council, exercising the executive power, in 1775 appointed him a Justice, and in 1777 (John Adams having declined the office) Chief Justice of the Superior Court of Judicature. After the adoption of the Constitution of the Commonwealth in 1780, he was recommissioned by Governor Hancock as Chief Justice of the Supreme Judicial Court. In 1788 he was Vice-President of the Convention of the Commonwealth of Massachusetts which ratified the Constitution of the United States. After the adoption of that Constitution, he was appointed by President Washington the first Associate Justice of the Supreme Court of the United States, and in 1796 Chief Justice, but declined that office, and continued to be an Associate Justice until his death in 1810.

Nathaniel Peaslee Sargeant was born in 1731, graduated at Harvard College in 1750, was appointed in 1775 a Justice of the Superior Court of Judicature, recommissioned in 1781 as a Justice of the Supreme Judicial Court, appointed Chief Justice in 1789, and died in 1791.

David Sewall was born in 1735, graduated at Harvard College in 1755, was appointed in 1777 a Justice of the Superior Court of Judicature, recommissioned in 1781 as a Justice of the Supreme Judicial Court, appointed in 1789 the first District Judge of the United States for the District of Maine, and died in 1825.

Increase Sumner was born in 1746, graduated at Harvard College in 1767, was appointed a Justice of the Supreme Judicial Court in 1782, elected Governor of the Commonwealth in 1797, and continued in that office until his death in 1799.

The doctrine laid down by the Chief Justice upon the trial of the indictment against Nathaniel Jennison had previously been discussed and approved in the civil suits arising out of the same transaction, the following statement of which is taken from the records and files of the Court of Common Pleas remaining in the custody of the clerk of the courts in Worcester, and from those of the Supreme Judicial Court which are preserved in the office of the clerk of this court in Boston:—

On May 1, 1781, Quork Walker brought an action of trespass against Nathaniel Jennison, returnable at June term of the Court of Common Pleas, and alleging that the defendant on April 30, 1781, at Barre, "with force and arms on him the said Quork, then in our peace being, did make an assault, and then and there with force as aforesaid seized the said Quork and threw him down and struck him several violent blows upon his back and arm with the handle of a whip, and did and then and there imprison, and other enormities to him the said Nathaniel Jennison then and there did, against the peace and the law." To that action Jennison pleaded that, long before the date of the writ, "one Caldwell, being seized of the said Quork as of her own proper negro slave, was duly married to and became the lawful wife of the said Nathaniel, by means whereof the said Nathaniel, being the lawful husband of the said [Caldwell], became possessed of the said Quork as of his own proper negro slave, and so the said Nathaniel says that the said Quork, at the time of suing out the said writ and long before, and ever since, was the proper negro slave of him the said Nathaniel." The plaintiff replied "that he the said Quork is a free man, and not the proper negro slave of the said Nathaniel," and tendered an issue to the jury, which was joined by the defendant. The jury returned a verdict for the plaintiff for £50 damages, upon which judgment was rendered in the Court of Common Pleas. The defendant appealed to September term 1781 of the Supreme Judicial Court, but, failing to appear there, was defaulted, and the judgment below affirmed.

On May 28, 1781, Jennison brought an action of trespass on the case against John Caldwell and Seth Caldwell, alleging that, on April 2, 1781, at Barre, "a certain negro man named Quarko" was the plaintiff's servant, and was kept, retained, and employed by him as his servant in and about his proper affairs and business; yet the defendants, well knowing the premises, but maliciously contriving to injure the plaintiff and deprive him of the benefit and service of his said servant, unlawfully solicited and seduced the said negro man from the business and service of the plaintiff, and caused and procured him to absent himself from his said master's service; by means whereof said servant did absent himself from such business and service; and the defendants unlawfully kept, retained, and employed the said negro with them in their own proper business for six weeks, against the will and without the consent of the plaintiff, and did unlawfully take and rescue out of the plaintiff's hands and possession his said servant, and did hinder, prevent, and molest him in claiming and reducing his said servant to his business and service, the defendants during all the time well knowing that the said negro was the plaintiff's servant; whereby the affairs and business of the plaintiff was very much neglected, and he lost the benefit of the service of his said servant during all the time aforesaid. This writ was returnable at the same June term of the Court of Common Pleas, and was entered before the writ of Walker v. Jennison. The Caldwells severally pleaded not guilty, and tendered an issue to the jury, which Jennison joined, and upon a trial in the Court of Common Pleas he obtained a verdict and judgment

for £25. The defendants appealed to September term 1781 of the Supreme Judicial Court, and upon a trial there were found not guilty, and had judgment for costs against the plaintiff.

The Judges present at September term 1781 of the Supreme Judicial Court appear by the record to have been Justices Sargeant and Sewall, and James Sullivan, who resigned his office in 1782, and was afterwards Attorney-General and Governor of the Commonwealth.

Among the papers on file in the case of *Jennison v. Caldwell* is the bill of sale mentioned in Chief Justice Cushing's minutes, which is as follows:—

"Rutland District, May 4, 1754. Sold this day to Mr. James Caldwell, of said District in the County of Worcester and Province of the Massachusetts Bay: a certain negro man named Mingo, about twenty years of age, and also one negro wench named Dinah, about nineteen years of age, with her child Quaco, about nine months old: all sound and well: for the sum of one hundred and eight pounds lawful money, received to my full satisfaction, which negroes I the subscriber do warrant and defend against all claims whatsoever. As witness my hand.

"In presence of

"JNO. MORRAY,

"JOHN CALDWELL."

ZEDEKIAH STONE.

The abstract made by Professor Washburn, and heretofore printed by the Society, of the brief of the counsel for the defendants in the case of *Jennison v. Caldwell*, shows that they took the position that slavery was abolished by the Constitution of the Commonwealth. (34 Mass. Hist. Soc. Coll. 337, 341-344; Proceedings, 1855-58, pp. 193, 197-201.)

On June 18, 1782, *Jennison* presented a petition to the House of Representatives, "setting forth that he was deprived of ten negro servants by a judgment of the Supreme Judicial Court, on the following clause of the Constitution, 'that all men are born free and equal,' and praying that, if said judgment is approved of, he may be freed from his obligations to support said negroes." (3 Journal of the House of Representatives, 99.)

It can hardly be doubted that the case of *Jennison v. Caldwell* is the one to which Chief Justice Parsons, in 1808, referred in these words: "In the first action involving the right of the master, which came before the Supreme Judicial Court, after the establishment of the Constitution, the judges declared that, by virtue of the first article of the Declaration of Rights, slavery in this State was no more." (Winchendon v. Hatfield, 4 Massachusetts Reports, 123, 128.)

On February 8, 1783, the House of Representatives appointed a committee "to bring in a bill upon the following principles: "1st. Declaring that there never were legal slaves in this Government; 2d. Indemnifying all masters who have held slaves in fact; 3d. To make such provisions for the support of negroes and mulattoes as the committee may find most expedient." A bill was brought in, and passed through its several stages in the House, and read a first time in the Senate, and then appears no further in the records of the legislature. (3 Journal of the House of Representatives, 444, 529, 537. 3 Journal of the Senate, 413 & seq.)

It should not be overlooked that the Constitution of 1780 gave the right of suffrage to "every male person, being twenty-one years of age," and having a certain amount of property, and omitted the words "being free" and "excepting negroes, Indians, and mulattoes," which had been inserted in the Constitution rejected by the people in 1778; and that Chief Justice Cushing, Justices Sargeant, Sewall, Sullivan, and Sumner, as well as Levi Lincoln and Caleb Strong (the counsel of the *Caldwells* in the action brought against them by *Jennison*) and Attorney-General Paine (who tried the

indictment against Jennison) had all been members of the Convention which framed the Constitution of 1780, and all of them, except Justices Sargeant and Sumner and Mr. Lincoln, members of the committee which framed the Declaration of Rights. (*Journal of the Convention of 1780*, as printed in 1882, pp. 8, 10, 11, 12, 14, 15, 16, 28, 29, 30, 234, 257.)

All subsequent investigation of the subject of the abolition of slavery in Massachusetts has confirmed the accuracy of the statement drawn up by our founder, Dr. Jeremy Belknap, April 21, 1795, in answer to the queries of Judge Tucker, of Virginia, and printed in the fourth volume of our Collections. Dr. Belknap says:—

"The present Constitution of Massachusetts was established in 1780. The first article of the Declaration of Rights asserts that 'all men are born free and equal.' This was inserted not merely as a moral or political truth, but with a particular view to establish the liberation of the negroes on a general principle, and so it was understood by the people at large; but some doubted whether this was sufficient."

"In 1781, at the court in Worcester County, an indictment was found against a white man for assaulting, beating, and imprisoning a black. He was tried at the Supreme Judicial Court in 1783. His defence was, that the black was his slave, and that the beating, &c., was the necessary restraint and correction of the master. This was answered by citing the aforesaid clause in the Declaration of Rights. The judges and jury were of opinion that he had no right to beat or imprison the negro. He was found guilty, and fined forty shillings. This decision was a mortal wound to slavery in Massachusetts." (4 Mass. Hist. Soc. Coll. 203.)

And again, as a result of his previous statements: "The complete abolition of slavery may be fixed at the year 1783." (*Ibid.*, 206.)

The source of the information condensed in the second paragraph above quoted was evidently a letter, dated April 9, 1795, to Dr. Belknap from James Sullivan (himself one of the Judges that took part in the decision of the civil action of *Jennison v. Caldwell*, and who resigned before the trial of *Commonwealth v. Jennison*), as will appear by comparing it with the following extract, now first printed from the original letter found among Dr. Belknap's papers in the possession of the Society:—

"In the year 1781, an indictment was found in the County of Worcester against Nathaniel Jennison of Barre, yeoman, for assaulting, beating, and imprisoning Quock Walker. He was tried at the Supreme Judicial Court in April, 1783. The defence was, that the said Quock was a slave brought from Africa, and sold to some person who many years before had sold him to the defendant, and that the assaulting, beating, and imprisonment was done by the defendant as the restraint and necessary correction of the master on the servant. This was answered by the Declaration of Rights, declaring all men free, equal, &c. The judges and jury were of opinion that Jennison has not right to beat or imprison the negro. He was found guilty, and paid 40s. This decision put an end to the idea of slavery in this State."

The reasonable conclusion seems to be, that the doctrine that slavery was abolished in this Commonwealth by the Declaration of Rights was declared in 1781 by the three Associate Justices, in the absence of the Chief Justice, upon the trial of the civil action brought by Jennison against the *Caldwells*; but, not being universally assented to throughout the State, the indictment against Jennison was brought to trial in 1783 before the whole court, and the same doctrine, being then distinctly affirmed by the Chief Justice, and the jury instructed accordingly, was thereby conclusively established as the law of the Commonwealth, further legislation on the subject was deemed unnecessary, and the bill pending before the legislature was therefore suffered to

drop. Dr. Belknap notes the fact that in the first census of the United States, taken in 1790, no slaves are set down to Massachusetts. (4 Mass. Hist. Soc. Coll. 199, 204.) And the law of Massachusetts has ever since been recognized by all legal authorities, in this Commonwealth and elsewhere, to be as stated by Chief Justice Cushing in the charge printed in the text. (*Winchendon v. Hatfield*, 4 Massachusetts Reports, 123, 128. *Commonwealth v. Aves*, 18 Pickering's Reports, 193, 208-210, 217. *Parsons v. Trask*, 7 Gray's Reports, 473, 478. *Jackson v. Phillips*, 14 Allen's Reports, 539, 563. 2 Kent's Commentaries, 252. *Betty v. Horton*, 5 Leigh's Virginia Reports, 615, 623.)

Judge Gray's communication formed the subject of some discussion, in the course of which Professor Washburn asked if there was probably any truth in the tradition which exists in the family of Judge Lowell, that he was the author of the clause in the Massachusetts Declaration of Rights, that "all men are born free and equal." Judge Gray replied that he supposed the introduction of that clause was due to John Adams.

Mr. DEANE said that, at the request of the President, he had put one or two papers into his pocket before leaving home, in case the communications for the evening should fall short; but, as the time had been so well taken up he should have allowed his papers to slumber had it not been for Professor Washburn's question. He now proposed to trespass for a few moments upon the time of the meeting, while he read a brief paper written some eight or ten years ago, suggested by the reappearance in the newspapers of the tradition to which Professor Washburn had referred, and now taken for the first time from the pigeon-hole in which it had been deposited.

Judge Lowell and the Massachusetts Declaration of Rights.

There has been for some years a tradition in the family of Judge John Lowell (who was born in 1743 and died in 1802) that he, as a member of the Convention which framed the Constitution of Massachusetts in 1779-80, introduced the first article, or the first clause in the first article, of the Declaration of Rights; and that its insertion was proposed by him for the express purpose of abolishing slavery in this State. The statement has found its way into some of our biographical dictionaries; but it appears, perhaps in its most authentic form, in a letter from the Rev. Charles Lowell, D.D., a son of Judge Lowell, written in 1856.

"My father," he writes, "introduced into the Bill of Rights the clause by which slavery was abolished in Massachusetts. You will find, by referring to the Proceedings of the Convention for framing the Constitution of our State, and to Eliot's New England Biographical Dictionary, that he was a member of the Convention and of the Committee for drafting the plan, &c., and that he suggested and urged on the Committee the introduction of the clause, taken from the Declaration of Independence a little varied, which

virtually put an end to slavery here, as our courts decided, as the one from which it was taken ought to have put an end to slavery in the United States. This he repeatedly and fully stated to his family and friends. . . . In regard to the clause in the Bill of Rights, my father advocated its adoption in the Convention, and when it was adopted exclaimed: '*Now there is no longer slavery in Massachusetts; it is abolished, and I will render my services as a lawyer gratis to any slave suing for his freedom, if it is withheld from him,*' or words to that effect." *

It certainly would be consonant to my own feelings to award such an honor to so distinguished a citizen as was Judge Lowell; but I cannot forbear, in justice to history, to express my belief that this tradition has no foundation in fact, and I will give my reasons for this opinion.

The Convention for framing the Constitution of Massachusetts met at Cambridge, on the first day of September, 1779. On the 4th of that month, a committee of *thirty*, of which the Hon. James Bowdoin was chairman, was chosen "to prepare a frame of a Constitution and Declaration of Rights," to be submitted to the Convention. Four days afterward the Convention adjourned, to meet again on the 28th of the following month. During the recess the committee entered upon the important work assigned to them; and, when the Convention again met, submitted their report in a printed form, copies of which were distributed among the members.

The journal or record of this committee of thirty, if any was kept by them, is not known to be in existence; but we know, from other sources, that the committee delegated to a sub-committee of *three* the duty of preparing a draft of a Constitution. The three were Mr. Bowdoin, Samuel Adams, and John Adams. By this sub-committee the task was intrusted to John Adams alone, who performed it. To them the draft was submitted; and they accepted it, with only one trifling erasure. It was then reported to the Grand Committee, who made some alterations. The preparation of a Declaration of Rights was intrusted by the general committee to Mr. Adams alone, and it was reported by him. "The article respecting religion," the third article, he says, "was the only article I omitted to draw." †

* Letter to Charles E. Stevens, author of "Anthony Burns, A History," Boston, 1856, pp. 234, 235.

† I am indebted to the Hon. Charles Francis Adams for the following extract of an unpublished letter from John Adams to Judge W. D. Williamson, dated 25 Feb., 1812:—

"In 1779 the General Court recommended to all the towns to choose representatives to meet at Cambridge, with full powers to agree upon a Constitution or frame of government to be laid before the towns for their approbation or rejection.

"The Convention met in August [September 1], in the Congregational Church in Cambridge, and, after some weeks [days] of deliberation and discussion, appointed a large committee of thirty members to sit in Boston and prepare a plan. This committee, after some weeks of debate, appointed a sub-committee of three members to make a draft. The three were Mr. Bowdoin, Mr. S. Adams, and myself. When we met, Mr. Bowdoin and Mr. S. Adams insisted that I should prepare a plan in writing, which I did. When I laid it before them, after deliberating upon it, they agreed to it, excepting only to one line, of no consequence, which I struck out. We reported it to the committee of thirty, where it underwent a thorough investigation. They struck out two things, to

To what extent the draft of the Declaration and Frame of Government were modified by the Grand Committee, before they were submitted to the Convention, we have no means at the present day of determining. That suggestions, more or less important, were made by some of the distinguished men who were members of that committee, is certain; but it is equally certain that the Report to the Convention was substantially as it came from the hands of Mr. Adams. (See Works of John Adams, iv. 216; vi. 463, 465; ix. 507, 618, 623; Proceedings of Mass. Hist. Soc. for November, 1860, pp. 87-92.)

The first article in the Declaration of Rights, which, it is said, Mr. Lowell caused to be inserted, is as follows:—

"All men are born free and equal, and have certain natural, essential, and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness."

Now it is very well known to the student of our history, that many of the fundamental principles of the Massachusetts Declaration of Rights, and much of its language, were taken from the Virginia Declaration, as drawn up by that sterling patriot, George Mason, and adopted by the Convention at Williamsburgh, on the 12th of June, 1776. Or, perhaps, it would be more accurate to say that the Massachusetts Declaration corresponds more nearly, in the provisions common to both, to the language of the Pennsylvania Declaration adopted a few months after that of Virginia, the latter being, however, the common source. No man was more familiar with these state papers than was Mr. Adams. He made them the subject of discussion with M. Marbois on

my sorrow. One was an unqualified negative to the governor. Another was the power to the governor to appoint all militia officers, from the highest general to the lowest ensign. The article relative to religion was not drawn by me, nor by the sub-committee. The Declaration of Rights was drawn by me, who was appointed alone by the Grand Committee to draw it up. The article respecting religion, as I said before, was the only article which I omitted to draw. I could not satisfy my own judgment with any article that I thought would be acceptable, and, further, [I thought] that some of the clergy or older and graver persons than myself would be more likely to hit the taste of the public."

Mr. Adams continued to attend the meetings of the Convention till two days before he embarked for Europe, on the 18th of November, 1779. On the 4th of November, he writes thus from Braintree to B. Rush:—

"Your favors of Oct. 12th and 19th are before me. I should not have left the first unanswered seven days, if it had not been for my new trade of a Constitution monger. I enclose a pamphlet as my apology. It is only a report of a committee; and will be greatly altered, no doubt."—*Works of John Adams*, ix. 507.

In a letter to Edmund Jennings, dated 7th June, 1780, immediately after the Constitution had been ratified by the people, he says:—

"I was chosen by my native town into the Convention two or three days after my arrival [from Europe]. I was, by the Convention, put upon the committee; by the committee, upon the sub-committee; so that I had the honor to be principal engineer. The committee made some alterations, as, I am informed, the Convention have made a few others, in the report; but the frame and substance is preserved."—*Ibid.*, iv. 216.

In a letter to John Taylor written in 1814, Mr. Adams speaks of "this constitution, which existed in my handwriting," &c.—*Ibid.*, vi. 465.

their voyage from Europe to this country in 1779, from which he arrived just in time to be chosen a delegate to the Convention for framing the Constitution of Massachusetts, and of course he had them before him while employed upon the important duty assigned to him. The curious reader may be interested to see how nearly the first article of the Massachusetts declaration, given above, corresponds to the first article from the Virginia Declaration, which follows:—

“That all men are by nature equally free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.”

That of Pennsylvania is as follows:—

“That all men are born equally free and independent, and have certain natural, inherent, and unalienable rights, amongst which are the enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining happiness and safety.”

With these facts before us, it seems altogether improbable that John Adams, while drawing so largely from the Virginia and Pennsylvania Declarations of Rights, and from the latter very much in the order in which the several articles lie in that state paper,* should have omitted the first and most important article, containing principles and declarations so accordant to his own feelings and convictions; and have left that article, or the first clause in that article, to be prefixed by the Committee of Thirty. For it is on this violent supposition alone that it becomes possible for us to believe that the article referred to, or the first clause in it, could have been introduced on motion of Mr. Lowell in the Grand Committee, of which he was a member. Besides, we have the statement of John Adams himself, already cited, that the article respecting religion was the only article which he omitted to draw. The reader will consult in vain the Proceedings or Journal of the Convention, published by the State in 1832, or Eliot's Biographical Dictionary, cited as authority by Dr. Lowell, for any evidence that John Lowell “suggested and urged on the committee the introduction of the clause” referred to. Of course, the Journal of the Convention would not record what passed in the committee; and it is equally silent as to any exhibitions of exultation on the passage of this article in the Convention.†

* The articles in the Massachusetts Declaration of Rights number thirty, while those in the original Pennsylvania Declaration numbered sixteen. Numbers 1, 2, 4, 5, 7, 8, 9, 10, 12, 14, 15, 16, 17, and 18 of the former, correspond to numbers 1-14 of the latter. The language is often different, some of the articles in each paper being more amplified than the corresponding articles in the other.

† As I have said above, the Convention reassembled to hear and act upon the report of their committee on the 28th October. On the 29th, in the afternoon, the Journal proceeds to say: . . . “The Declaration of Rights was then read; and, on a motion made and seconded, the same was voted to be taken up by propositions. The preamble and the 1st article, after sundry amendments, being accepted,” &c. Now, having the Report of the Committee before us, and the Constitution as adopted, we are able to see what amendments, if any, were made in the first article. The only amendment was the striking out the word

The assertions of natural right embodied in these several Declarations were familiar to the public mind of Massachusetts at that period. The Declaration of Independence of 1776, issuing from a committee of which Mr. Adams was a member, followed in a few weeks the Declaration of Virginia referred to above; while that of Pennsylvania soon succeeded. The same familiar principles are afterwards found embodied in the report of the committee of a Convention which met at Ipswich, in this State, in May, 1778, in which the defects of a Constitution recently rejected by the people of Massachusetts were ably exposed. — a report said to have been drawn up by Theophilus Parsons, a legal luminary just then rising into notice. "All men," he says, "are born equally free; the rights they possess at their births are equal, and of the same kind. Some of those rights are alienable, and may be parted with for an equivalent. Others are unalienable and inherent, and of that importance that no equivalent can be received in exchange," &c. (See Essex Result, pp. 12, 13.)

Judge Lowell's sympathies were undoubtedly in favor of the freedom of the colored race. In answer to Dr. Belknap's inquiries, in 1795, relating to slavery in Massachusetts, Judge Sullivan, under date of April 9th, writes: "The first causes brought by negroes against their masters were conducted by Judge Lowell, who can give you an account of that business." (*MS. letter.*) These well-known views and benevolent exertions of Judge Lowell had no doubt left their impression on the minds of his family.

Judge Sullivan does not say whether these causes were brought before or after the adoption of the Constitution. That Dr. Belknap did consult Judge Lowell on the occasion referred to is probable. No letter of his exists, among others now extant, written in answer to Dr. Belknap's inquiries; but Judge Lowell's name is placed in the margin of the *original manuscript* of Dr. Belknap's reply to Judge Tucker (as are other names for a similar purpose) as authority for a statement relating to trials for freedom before the judicial courts, prior to the Revolution, — a statement incorporated with others relating to the same subject into one paragraph, as printed on pages 202–203 of Vol. IV. Mass. Hist. Coll.

The form used by Mr. Jefferson, in the Declaration of Independence, is more simple, but equally expressive: "All men are created equal."

The doctrine taught in these several forms of expression was, as I have said, familiar to the fathers of the Revolutionary era; indeed, it

their in the phrase "protecting their property." I will add, though all this has no immediate connection with the purpose of this communication, that in the text of the printed Report of the Committee the first clause of the Declaration reads, "All men are born equally free and independent"; but in a table of Errata on the last page it is corrected to read, "All men are born free and equal." This correction should not be regarded as an amendment made by the Convention; yet in reprinting this report in 1832, the Committee of the Legislature disregarded the whole of the Errata, which contained other corrections, more particularly in the last clause of the preamble; and the reader of that volume would necessarily conclude that the changes suggested by the Errata formed part of the amendments by the Convention. See Proceedings of this Society for November, 1860, pp. 88–92.

can be traced to a much earlier period. Not to refer to Locke and Sidney, I may mention that Sir Robert Filmer, who doubted its soundness in his "Patriarcha," published in 1680, traces it to Bellarmine, who was born in Tuscany in 1542. On page 11 of that volume, Filmer quotes that writer, in maintaining the "natural liberty of the people," as saying that it is evident from scripture that God hath given or ordained *power*; "but God hath given it to no particular person, because *by nature all men are equal*; therefore he hath given power to the people or multitude."*

Whatever may have been the significance of the first clause of the article under consideration to the minds of Mr. Mason and Mr. Adams, it is interesting to notice how widely different has been its interpretation in the States represented by these eminently patriotic citizens. In 1783 it was held by the Supreme Judicial Court of Massachusetts that the clause in question abolished slavery within this State. The first section in the Virginia Declaration of Rights, which is a part of her Constitution, stands to day, I believe, substantially as it came from the hands of George Mason.†

Slavery was abolished in Massachusetts by force of public opinion manifesting itself through her judicial courts. It was provisionally abolished in Virginia and her sister slave-states more than three-quarters of a century later, only by force of the public opinion of the nation, expressed through the supreme magistrate as the commander-in-chief of the army, during the rebellion of the States in which it existed; and consummated by an amendment of the Constitution of the United States.

The President then said:—

I will only detain the Society further while I say to them, in a single word, that, the health of one of my family rendering a voyage to Europe important, I am to embark early in May, and shall be absent from home and from our meetings for six or seven months. I hope to be here again in season for our November meeting; but accidents of life and health may detain me still longer. Should I find myself prevented from returning beyond the limit of a reasonable indulgence, my resignation will always be within the reach of our Secretary. Meantime, if, during my absence, I can render any service to the Society, or to any of its members, in the way of historical inquiry, it will always afford me the greatest pleasure to do so.

* See also Professor Washburn's "Origin and Sources of the Bill of Rights" of Massachusetts, in Proceedings for June, 1865.

† "The state of New Hampshire established their constitution in 1783; and in the first article of the Declaration of Rights it is asserted that 'all men are born equally free and independent.' The construction there put on this clause is that all who have been born since the constitution are free, but that those who were in slavery before are not liberated by it. By reason of this construction (which, by the way, I do not intend to vindicate), the blacks in that state are in the late census distinguished into free and slaves, there being no Indians residing within those limits." (Dr. Belknap to Judge Tucker in 1795, in 1 Mass. Hist. Coll. IV. 204.)

MAY MEETING, 1874.

A stated monthly meeting was held on Thursday, May 14th, at eleven o'clock A.M.; Vice-President Adams in the chair.

The Recording Secretary read his record of the two preceding meetings.

The Librarian read his monthly list of donors to the Library for the past month.

The Cabinet-keeper reported gifts from Mr. W. P. Lunt: of a printed broadside, being President Washington's "Message on the Treaty Papers," dated March 30, 1796; also an engraved copy of Stuart's portrait of Washington, by W. L. Ormsby.

The Council reported a request that the Society should decide by vote whether the stated monthly meetings of the Society should be dispensed with during the summer months. Whereupon it was

Voted, To dispense with the meetings of the Society for the months of July and August, unless for any special reason they should be summoned by order of the acting President.

The Recording Secretary offered the following vote, which was unanimously adopted:—

Whereas the President of this Society, the Honorable Robert C. Winthrop, has recently sailed for Europe, intending to be absent some months, therefore *Resolved*, That Mr. Winthrop be authorized and requested to represent the Society on any fitting occasion that may occur during his absence abroad, and that he be empowered to negotiate for the Society any exchange of publications with foreign societies, and to act for its interest in any way that he shall find expedient during his absence.

The Honorable William Gray was elected a Resident Member.

Dr. PAIGE read and presented the following letter from the Reverend Samuel Danforth to his brother Thomas Danforth, dated March 30, 1670:—

Addressed:—

For the Honoured Mr. Tho. Danforth at Cambridge these.

HONOURED & DEAR BROTHER,—I received your loving return to my message yesterday by Sam: Indian and rested better satisfied in your candid answer then if you had sent mee what I desired; but your superabundant care & respect this morning occasions no small exercise to my spirit. For not to receive the kindness of a friend may be interpreted an unkindnes: and yet to receive such a kindnes as

will be ten times more damage to y^e donour, then advantage to y^e receiver, would argue little prudence. At present I have little need or vse of a horse, I may well go on foot or borrow of my neighbors, as oft as I have heart or leysure to go abroad, and indeed I should not have sent to you vntill y^e hot weather had come in, had I not thought I should have gratified you thereby, by taking off a little part of your great burden in providing for your Cattell in so scarce a time. And indeed both Deacon Park & some others have offered to lend mee a horse all summer for my vse, I providing pasture. Onely I was willing rather to be holding to yourself then to them. I know it is a busy time of y^e year & you have more need of a beast at hand for service (in regard of your Care of y^e Colledge) then ten other men. These & such like considerations force mee, contrary to y^e ordinary rules of friendship, to offer violence to my self in sending back your mare, and to entreat your excuse & pardon in that behalfe. The truth is, matters are so circumstanced that a man can hardly come into any company & enter into any discourse, but before he is aware he finds himself in y^e like fan and sieve, as that wherein Satan winnowed Peter in y^e high priest Hall. In so much that many times I am glad of any fair excuse for my abode at home. Dear brother, interpret all things well from him that meaneth well, my wife comānds her love & service to yourself & my dear sister with many thanks for former and late kindnesses & ptie^t her loving token yesterday. Forget vs not in your dayly prayers. S^r I remain
Your affectionate Bro.

S. DANFORTH.

This 31, 1^o (70).

Mr. SIBLEY read an interesting letter from Governor Pownall, a copy of which will soon be furnished for the Proceedings.

Dr. GREEN read the following letter from Thomas H. Benton to Amos Kendall:—

St. Louis, August 24, 1828.

DEAR SIR,— Recurring to the fact which late developments brought to my knowledge, that you were willing to have left Kentucky a few years ago for an adequate support at Washington, it has occurred to me to propose to you, *if nothing better presents itself*, that you should turn your thoughts to this place. It is a town of 7,000 or 8,000 souls, rapidly increasing in wealth and population, as the building of an hundred houses this summer will testify, and destined to take rank second to New Orleans in the valley of the Mississippi. There is but one press here, and that, a mere mud-machine, belongs to the other side, and is despised even by them; yet the owners of it live in fine brick houses, built upon their labors. You may ask, Why have others failed? I answer, Upon the same principle that a sieve cannot hold water. The inducements to come here would be, *first*, to make money, which I am sure that an imperial sheet, twice a week for the town, once a week for the country, conducted as you could, it would infallibly do;

secondly, to maintain the ascendancy of the political principles which you espouse, and which are all triumphant in this State and Illinois. I have no hesitation in saying that St. Louis presents the best point, in my opinion, for a talented editor that is to be found in the United States. But it is not necessary to pursue the subject further, before it is known whether *nothing better* (and I am sure that all our political friends would agree that you deserve better) presents itself, and whether you would consent to leave Kentucky. I think I could say you would have a *clear stage here*: three-fourths of the population would receive you joyfully, and the remainder would chiefly join in. I can vouch, with a knowledge of what I say, that the mass of the administration party in this town would support your press. Please to write to me.

Yours truly,

THOMAS H. BENTON.

Mr. ADAMS reported upon a number of letters of John Adams to Professor John Winthrop of Harvard College, written from Philadelphia in 1775 and 1776, which had been referred to him at a preceding meeting. The letters, he ascertained, had, with one exception, never been printed. He read portions of them to the meeting. On the back of the letters Professor Winthrop had preserved copies of his own replies. The originals of these, Mr. Adams said, were among the papers of John Adams, and could be used to supply some defects in the copies. The whole correspondence he regarded as valuable; and the letters were referred to the committee on a volume of "Revolutionary Papers," of which Mr. Adams is chairman.

The Recording Secretary, Mr. DEANE, called attention to a printed paper, received some weeks since, addressed to "The Board of Regents of the Massachusetts Historical Society," postmarked "Middelburg, 29 Jan. '74." It was in the Dutch language, and proved to be a communication to the Zealand Academy of Arts and Sciences at Middelburg, in December last, by its Librarian. The following translation of the paper was read by the Secretary: *—

Two interesting copies of "The Holy Bible, . . . translated into the Indian Language [by John Eliot]. . . . Cambridge (Old Testament, 1663; New Testament, 1661)."†

* This translation has been made for me by Mr. George Dexter, of Cambridge. — C. D.

† See p. 259 of the catalogue of the library of the Zealand Academy, where we find:—

No. 1986. The Old Testament, with Psalms, in the American Indian language. 4to, full mor. gilt.

No. 1987. The Holy Bible, transl. in the Indian language. — Mamusse wun neetupanatamwe up Biblum God naseeswe Nukkone Testament kah wonk wusku Testament. John Eliot. Cambridge, S. Green and M. Johnson. 1663. 4to.

Communicated to the Literary Section of the Zealand Academy of Sciences at Middelburg.

The Librarian, Herr Nagtglas, called attention to two copies of a very remarkable book in our Library, — a translation of the Bible into the language of the American Indians, by John Eliot, called by his contemporaries the Apostle of America (*Indorum Americanorum Apostolus*). He communicated various particulars about the reasons for this translation and the emigration of the English Puritans for freedom of worship. He recalled the fact that the so-called Brownists, or Independents, had already, in 1588, left England for the Netherlands, and founded congregations in Middelburg, Amsterdam, and Leyden; that, in 1633, they had in the ship "Mayflower," of Plymouth, removed to New England, and there made strenuous efforts to convert the natives to Christianity. Among the first and most zealous of their preachers was John Eliot. His missionary work was not without fruit: in a single year many thousand redskins called themselves Christians, some were even ordained teachers, and several schools and a church organization were established. The first translation of the Bible into the Indian tongue was published in 1663, and 1,500 copies were printed at Cambridge, near Boston. Most of these seem to have been destroyed in a contest (1674) between Indian tribes. A second edition of 2,000 copies of the New Testament appeared in 1680, and in 1685 one of 2,000 copies of the Old Testament.

These publications created no small excitement in Europe, especially as connected with the great noise about the progress of Christianity among the heathen. People talked of fifty thousand converts; and about the same time, in 1687, there appeared a Latin letter from Crescentius Matherus, V.D.M., of Boston, in New England, to Professor J. van Leusden, of Utrecht, of which Professor Grævius gives an account.*

The first edition of this translation of the Bible has become exceedingly rare. In a work lately published at New York, an opportunity to examine which was afforded the Librarian by the kindness of Messrs. F. A. G. Campbell and Nijhoff of the Hague, it is stated that a copy of this edition was sold not long ago for 1050 dollars, or 250 pounds sterling.†

The two copies of this first edition in our Library are peculiarly interesting. The first, the Old Testament, seems to have been long considered valuable, as it has been elegantly bound in red morocco, with green silk on the inner covers, and tooled with gilt edges. The title-page is wanting. In its place we find the following manuscript note: —

* This letter, of July 12, 1687, — "translated out of Latin into English," — was published in Cotton Mather's "Life and Death of the Reverend Mr. John Eliot." 3d ed., London, 1694. pp. 94-99. — C. D.

† An Essay towards an Indian bibliography, being a catalogue of books relating to the history, antiquities, languages, customs, religion, wars, literature, and origin of the American Indians, in the library of Thomas W. Field. With bibliographical and historical notes and synopses of the contents of some of the works least known. New York: Scribner, Armstrong, & Co. 1873. pp. iv. 430, roy. 8vo.

"All the Bibles of the Christian Indians were burned or destroyed by the heathen savages. This one alone was saved; and from it a new edition, with improvement, and an entirely new translation of the New Testament, was undertaken. I saw at Roesberri (Roccsbury?), about an hour's ride from Boston, this Old Testament printed, and some sheets of the New. The printing-office was at Cambridge, three hours' ride from Boston, where also there was, close to the borders of the savages, a college of students of another nation. The Psalms of David are added in the same metre.

"At Roesberri dwelt Mr. Hailot" (N. B. — The Zealand sound of Eliot), "a very godly preacher there. He was at this time about seventy years old, and his son was a preacher at Boston. This good old man was one of the first Independent preachers to settle in these parts, seeking freedom to worship. He was the principal translator and director of the printing of both the first and second editions of this Indian Bible. Out of special zeal and love he gave me this copy of the first edition, for which I am, and shall continue, grateful. This was in June, 1680.*

"JASPER DANCKAERTS."

In April, 1757, this Bible was marked as "extra rare" in the catalogue of the library of Mr. H. J. Bosschaert, of Middelburg. It was bought by the bookseller Gillissen on the 26th April, 1757, for £6 3s. 18d. (f. 23.40), and came into the possession of Professor Willemssen, and appears in the catalogue of his library, sold at Middelburg in April, 1781.† It was not offered at the sale, but was withdrawn, and came into the hands of Professor de Fremerij, who, in February, 1807, presented it to the Zealand Academy of Sciences. It was then remarked as something curious that the letter *r* does not once occur in the whole book.

The other copy, in specially good condition, bound in stiff leather with red edges, contains the Old Testament of 1663 and the New Testament of 1661, with the double title and the dedication to Charles II., which, according to Mr. Thomas W. Field, is found in very few copies.

In conclusion, the Librarian spoke of Jasper Danckaerts. He was probably the person mentioned by De la Rue in his "Geletterd Zeeland," and in his private annotations. He was a cooper (kuiper‡) in the service of the East India Company at Middelburg, and wrote some books, which were, however, never published, but for which he, among others, was praised by Professor Campegius Vitringa, in a letter written in 1699. In a manuscript considered valuable by De la Rue, — "Triumph of the Holy Hebrew Bible over time, and the chronology

* The spelling of this note has been modernized.

† The book is thus described in this catalogue: "The American Indian Bible, containing the whole Old Testament, and the Psalms in the same order as in English metre. . . . Wants the title and some few leaves of the Psalm Book."

‡ In a journal of Danckaerts, alluded to further on, he speaks of himself as a "wine-racker"; that is, one who put up wine in casks. — C. D.

of the world and the birth of the church, each in six periods, with a seventh added for rest," — Danckaerts calls himself a lover of mathematics. Upon this see "H. Sinnebeelden, History en Godsgeleerdheid tot Middelburgh in Zeelandt."

DECEMBER, 1873.

Mr. DEANE proceeded to say that some information concerning Jasper Danckaerts, or, as the name was sometimes spelled, Dankers, additional to that given in the above communication, might be found in the first volume of the "Memoirs of the Long Island Historical Society," published in 1867, which contained Dankers's "Journal of a Voyage to New York in 1679-80." Dankers belonged to a sect of Christians, known as Labadists, so called after its founder, Jean de Labadie, born near Bordeaux in 1610. He came here in company with a fellow missionary, named Sluyter, in search of a suitable place to found a colony for persons of that faith. In June, 1680, he came from New York to Boston, to re-embark for home, arriving here on the 23d of that month. In the following extracts from his journal he gives his impressions of Boston, its inhabitants, and also describes his visit to Eliot at Roxbury: —

Dankers's Journal.

[July] 7th, *Sunday*. We heard preaching in three churches, by persons who seemed to possess zeal, but no just knowledge of Christianity. The auditors were very worldly and inattentive. The best of the ministers whom we have yet heard is a very old man, named John Eliot, who has charge of the instruction of the Indians in the Christian religion. He has translated the Bible into their language. We had already made inquiries of the booksellers for a copy of it, but it was not to be obtained in Boston. They told us if one was to be had, it would be from Mr. Eliot. We determined to go on Monday to the village where he resided, and was the minister, called Roxbury. Our landlord had promised to take us, but was not able to do so, in consequence of his having too much business. We therefore thought we could go alone and do what we wanted.

* 8th, *Monday*. We went accordingly, about eight o'clock in the morning, to Roxbury, which is three quarters of an hour from the city, in order that we might get home early, inasmuch as our captain had informed us he would come in the afternoon for our money, and in order that Mr. Eliot might not be gone from home. On arriving at his house, he was not there; and we, therefore, went to look around the village, and the vicinity. We found it justly called *Roxbury*, for it was very rocky, and had hills entirely of rocks. Returning to his house, we spoke to him, and he received us politely. Although he could speak neither Dutch nor French, and we spoke but little English, and were unable to express ourselves in it always, we managed, by means of

Latin and English, to understand each other. He was seventy-seven years old, and had been forty-eight years in these parts. He had learned very well the language of the Indians who lived about there. We asked him for an Indian Bible. He said in the late Indian war all the Bibles and Testaments were carried away, and burnt or destroyed, so that he had not been able to save any for himself; but a new edition was in press, which he hoped would be much better than the first one, though that was not to be despised. We inquired whether any part of the old or new edition could be obtained by purchase, and whether there was any grammar of that language in English. Thereupon he went and brought us the Old Testament, and also the New Testament, made up with some sheets of the new edition, so that we had the Old and New Testaments complete. He also brought us two or three small specimens of the grammar. We asked him what we should pay him for them, but he desired nothing. We presented him our *Declaration* in Latin, and informed him about the persons and conditions of the church, whose declaration it was, and about Madam Schurman and others, with which he was delighted, and could not restrain himself from praising God the Lord that had raised up men and reformers, and begun the reformation in Holland. He deplored the decline of the church in New England, and especially in Boston, so that he did not know what would be the final result. We inquired how it stood with the Indians, and whether any good fruit had followed his work. Yes, much, he said, if we meant true conversion of the heart; for they had in various countries instances of conversion, as they called it, and had seen it amounted to nothing at all; that they must not endeavor, like Scribes and Pharisees, to make Jewish proselytes, but true Christians. He could thank God, he continued, and God be praised for it, there were Indians, whom he knew, who were truly converted of heart to God, and whose profession was sincere. It seemed as if he were disposed to know us further; and we therefore said to him, if he had any desire to write to our people, he could use the names which stood on the title-page of the *Declaration*, and that we hoped to come and converse with him again. He accompanied us as far as the jurisdiction of Roxbury extended, where we parted from him. (pp. 382-384.)

In 1683 Dankers and Sluyter returned to this country in prosecution of their colonization scheme, and founded a settlement on a tract of land called "Bohemia Manor," situated principally in Maryland. The colony came to an end before 1730.

A few errors in chronology, in Herr Nagtglas's interesting communication, were thought to be too obvious to the student of English or of American history to need special correction.

JUNE MEETING, 1874.

A stated meeting was held on Thursday, June 11th, at 11 o'clock A. M. ; Vice-President ADAMS in the chair.

The Recording Secretary read the record of the last meeting.

The Librarian read the monthly list of donors to the Library.

The Corresponding Secretary read a letter of acceptance from the Hon. William Gray, elected a Resident Member at the last meeting.

The Chairman noticed the decease of a Corresponding Member, Mr. John Carter Brown, of Providence, which occurred in that city on the 10th instant, in the seventy-seventh year of his age. Mr. Brown had been for many years a member of the old mercantile house of Brown & Ives, — almost an historical house, — and was a gentleman of the highest character for probity and intelligence. His noble library of books relating to American History, collected by himself at a great expense, was sufficient evidence of his claim to be regarded as a benefactor to the cause for which this Society was founded. He was elected a member of the Society on the 10th of August, 1854.

The Recording Secretary read an extract from a letter of Mrs. Emma Rogers, daughter of the late Hon. James Savage, presenting to the Society her father's copy of the Society's Collections, with copious MS. notes, for which the thanks of the Society were ordered.

The Chairman then said : —

The following communication has been laid before the Council of the Society : —

TROY, N. Y., June 2d, 1874.

W. H. WHITMORE, Esq.

DEAR SIR, — You are of course aware that the late H. G. Somerby wished to have his manuscript collections used to the greatest advantage, and that he desired me to consult with Mr. W. S. Appleton, Mr. Henry A. Whitney, and yourself as to their ultimate disposal.

I am satisfied from what you tell me that the best disposition that I can make of the papers is to transfer them to the Massachusetts Historical Society on certain conditions, as follows : —

1st. That the Society shall agree to keep the MSS. safely and distinct from all other collections, and shall, as soon as may be, have them arranged in proper form for examination, or at least such parts as are of value to students.

2d. That the Society shall appoint a committee of three to decide upon the mode of making them available for public inspection and use,

and generally to take charge of them, subject, of course, to the general rules of the Society.

3d. That the Society agree to publish in its Proceedings a Memoir of Mr. Somerby, giving some account of his literary life.

You are hereby authorized to make this proposition to the Society; and, when accepted by it, you may deliver to it all the papers in your custody, on a further agreement that they will send me copies of all items therein relating to the Somerby or Dole families.

The tender is to be made in the name of my wife as well as myself.

Yours very truly,

EDWARD M. STEBBINS.

The Chairman proceeded:—

The Council recommend that the MSS. of Mr. Somerby be accepted by the Society on the terms named in Mr. Stebbins's letter, and that the following votes be adopted:—

Voted, That the Society gratefully accept, on the conditions named, the papers of their late Corresponding Member, Mr. Horatio G. Somerby, generously offered to them by Mr. and Mrs. Edward M. Stebbins.

Voted, That Messrs. Whitmore, Appleton, and Whitney be a committee to take charge of the papers, according to the terms of the gift.

Voted, That Mr. Whitmore be requested to prepare a Memoir of Mr. Somerby for the Society's Proceedings.

Voted, That a copy of these votes be sent to Mr. Stebbins, with the thanks of the Society for this generous gift.

These votes were unanimously adopted.

Mr. ELLIS AMES communicated some interesting facts relating to the part taken by the Second Massachusetts Regiment, of the Continental Line, commanded by Colonel Bailey, of Hanover, in the battle at Harlem, September 16, 1776. His paper would be laid before the Society in a more extended form at a future meeting.

Mr. DEANE presented a copy of a work by our Corresponding Member, M. D'Avezac, entitled, "Année véritable de la naissance de Christophe Colomb, et revue chronologique des principales époques de sa vie. . . . Par M. D'Avezac. . . . Paris, 1873," and remarked that it was a thorough investigation of the question involved in the inquiry, showing that 1446 was undoubtedly the year of the birth of Columbus. The paper also dealt with other interesting questions relating to the early life of Columbus.

Mr. TUTTLE made the following communication:—

I desire to call the attention of the Society to a statement in the first volume of Dr. Belknap's "History of New Hampshire," and to the authority cited to support it. On page 158 Dr. Belknap says:—

"In the spring [1678], Major Shapleigh, of Kittery, Captain Champernoon, and Mr. Fryer, of Portsmouth, were appointed commissioners to settle a formal treaty of peace with Squando and the other chiefs, which was done at Casco, whither they brought the remainder of the captives. It was stipulated in the treaty that the inhabitants should return to their deserted settlements, on condition of paying one peck of corn annually for each family, by way of acknowledgment to the Indians for the possession of their lands, and one bushel for Major Pendleton, who was a great proprietor. Thus an end was put to a tedious and distressing war, which had subsisted three years. The terms of peace were disgraceful, but not unjust, considering the former irregular conduct of many of the eastern settlers, and the native propriety of the Indians in the soil."

Dr. Belknap cites a single authority to support this; namely, "MS. Journal, April 12, 1678." In a note on page 151, he says this "MS. Journal is found in Prince's Collection, and supposed to have been written by Captain Lawrence Hammond, of Charlestown." The manuscript journal of Captain Hammond, in the Library of this Society, has been supposed to be the journal referred to by Dr. Belknap, it having been discovered among his papers; but, on examination, it is found to contain no reference to this treaty whatever, nor is there any matter in it to support the other citations by Dr. Belknap. Prince also, in 4 Mass. Hist. Coll., V. 13, cites Lawrence Hammond's journal, yet the Society's manuscript is equally silent on the matter quoted by him. The Prince Collection, in the Boston Public Library, has no such manuscript journal, nor any manuscript journal containing the matters cited by Belknap and Prince. What has become of this authority, so much relied on by these eminent historians?

As regards the Indian treaty referred to by Dr. Belknap, no previous writer mentions it; and he is the sole authority of all subsequent writers who do refer to it. It is unaccountable that a treaty of so much importance as this should be overlooked by Hubbard, Mather, Hutchinson, and other historical writers, and a whole century pass without any notice being taken of it; that no other authority for it is known but a private journal, now utterly lost; and that Dr. Belknap did not remark the omission of previous writers, and the slender authority he had for it. Being a public treaty, there ought to be some record of it in the Massachusetts archives; but I can find none there. Having occasion to determine Captain Champernowne's precise connection with this treaty, I have made extensive examinations of printed books and of manuscript records to find some confirmation of the authority cited by Dr. Belknap, but without success. The discovery of the MS. Journal referred to by Belknap and Prince is much needed. This alleged treaty may have been nothing but a proposed treaty, never carried into effect. Dr. Belknap must be allowed to have had what he considered good authority for his statement; but it is unfortunate that it is now lost.

Dr. O. W. HOLMES then said: —

In looking through "*Scaligerana*," — a collection of the sayings of Joseph Scaliger, reminding one not a little of the talk of Johnson as recorded by Boswell, — I found some passages which shed a little glimmer of light on the condition of things at Leyden during the residence of the Pilgrims in that city.

This "great miracle of nature," as his biographer calls him, was of Italian origin, but born and bred in France. At the age of fifty-three years he went to Leyden as the successor of Lipsius in his professorship. His conversational remarks on men and things are singularly free and easy. Like Johnson, he is evidently an oracle to his listeners. In the frontispiece of my edition (Cologne, 1695), he is represented as sitting in a chair in the famous botanic garden of the University of Leyden, and discoursing with several grave and dignified persons who stand respectfully about him.

It will be remembered that among the reasons assigned by Bradford in his History, and by Winslow in his Brief Narrative, for the Pilgrims' wishing to leave Leyden, were "the great labor and hard fare, with other inconveniences," they had to submit to; their children's being drawn into evil courses; and their grief at the profanation of the Sabbath.

Three years before their arrival at Leyden, Scaliger is represented as saying, under the title "*Leyde*": —

"Sunt tredecim anni quod hic sum, bene habeo, nisi quod dentes non habeo. Hic licet vicinum turbare impunè. Hic vicini mei clamant, nec possum impedire; potant à summo mane in die jejunii." — p. 237.

Under the title "*Hollande*," I find the following sharp remarks in the odd mixture of French and Latin which is common in this collection of random sayings: —

"C'est un meschant pays que celui-cy, non aratur, quanquam incipiant Delphis. Ante 30 annos nesciebant quid esset arare. Omnia tamen huc afferuntur. Remotissimis locis advehitur frumentum, Livonia, Lithuania, Polonia; et linum ex Flandria et Lithuania. Hic valde male purgant frumentum, omnia relinquunt, sordes, pulverem. Gens olim fidelissima, valde hodie incipit a fidelitate deficere in pane et cervisia."

—"Diebus Sabbathi plures naviculæ ingrediuntur Leydam, quam toto mense Aureliis Nannetum usque, vel Tolosa Burdigalam, qui est tamen frequentissimus transitus."

—"Quand quelqu'un verroit icy en Hollande, manger du pain sec ou boire de l'eau, on l'estimerait autre homme et estre merveille en nature. Les Hollandois sont longs et tardifs, lavent le pavé, et sont sales et ords en leur manger et boire."

— "En ce pays tout est permis comme à Venize, pourveu qu'on ne dise et ne fasse rien contre l'Estat."

— "On endure toute sorte de gens icy, hormis les Antitrinitaires; fuerunt aliquandiu, sed ejecti sunt ab Ordinibus. Il y a de bonnes gens en ce pays: Mais il n'y a país au Monde qui ait plus besoin des chatimens de Dieu: Ils depensent en un jour tout ce qu'ils ont gagné pendant la semaine." — pp. 195, 196, 197.

I will turn these passages into English for the sake of readers (not members of the Society) who may have forgotten their mastery of foreign tongues:—

I have been here (in Leyden) these thirteen years, and am in good condition, except that I have no teeth. People can disturb their neighbors here without being called to account for it. My neighbors shout, and I cannot hinder them; they drink from early morning on fast days.

— It is a poor country, this; it is not tilled, though they are making a beginning at Delft. Thirty years ago they did not know what ploughing meant. But every thing is brought here. Grain is imported from the most remote places, Livonia, Lithuania, Poland; and flax from Flanders and Lithuania. They clean their grain very imperfectly, leaving all kinds of dirt and dust. The people used to be very fair in their dealings; but they cheat badly now-a-days in their bread and their beer.

— On a Sabbath day, more boats come into Leyden than go in a whole month from Orleans to Nantes, or from Toulouse to Bordeaux, though the travel between these places is very great.

— Here in Holland if they see a man eating plain bread and drinking water, they think him a peculiar person, a natural prodigy. The Hollanders are slow and dilatory; they wash their pavements, and are slovenly and filthy in the matter of food and drink.

— In this country, as in Venice, every thing is allowed, provided that nothing is done or said against the government.

— They tolerate all sorts of people here except Antitrinitarians: these were suffered here for a certain time, but were expelled by the Orders. There are good people in Holland; but there is not a country in the world in greater need of Divine chastisements. They spend in a single day all that they have earned in the whole week.

This testimony, from a man of so great eminence as Scaliger, is not without interest, as showing that the complaints of the Pilgrims of their condition at Leyden were founded on a state of things which he found as bad as they did. Honored as he was during his life, and after his death, we may take it for granted that he lived in a good quarter of the town, and was well cared for. Yet he complains of his fare, as they did; of his irrepressibly noisy and not improbably riotous neighbors; of universal and excessive drinking habits; of the wasteful

prodigality which was prevalent, and of the singular activity in worldly affairs on the Sabbath day, to which the Puritans held with such Mosaic rigor. On the whole, after living among these people thirteen years in a conspicuous position, and in great honor, he considers it a mean country, and thinks the people deserve special punishment at the hands of the Almighty. The Pilgrim Fathers might well be anxious about their children, with such examples all around them.

Three years after the first record I have cited, Joseph Scaliger died, in the year 1609, just as the Pilgrims were removing to Leyden. It is not very likely that the fare or the habits of the people had much improved in that interval of three years, or during their residence. We can readily understand that, after a dozen years of life surrounded by Dutchmen such as Teniers and Adrian Brauwer have pictured, by early risers of the kind spoken of by Scaliger, by shouting neighbors, by habitual Sabbath-breakers, in a land where the people hardly knew enough to plough, where the food was bad and the habits were slovenly, they longed for a home of their own in the wilderness, where they could have peace and order, and the decencies of life, and bring up their children to fear God and keep all his commandments. Other reasons we know there were, but these must have had their weight; and the sentences I have quoted throw a side-light upon them which brings out some of their shadows.

SEPTEMBER MEETING, 1874.

A stated meeting was held on Thursday, the 10th instant, at 11 o'clock, A.M.; Vice-President ADAMS in the chair.

The Recording Secretary read the record of the preceding meeting.

The Librarian read the list of donors to the Library for the past three months.

Mr. ADAMS then spoke as follows:—

GENTLEMEN,—In the interval since our last meeting we have had occasion to note with deep regret the loss of two eminent members of this Society. The first of these, who left us so long ago as in the last days of June, has deprived us of an associate intimately known by many of the elder members, as well for his faithful performance of the various duties imposed upon him in the responsible posts he filled during his active career, as for his genial temperament, which mingled so much of the spices of life with the execution of its graver trusts.

Judge Warren doubtless inherited his brilliant qualities from persons noted in their day for their capacity and their patriotism. His grandfather was long prominent as an active leader in this State during the arduous struggle for national independence; and his grandmother, the sister of the eloquent James Otis, partaking of his stirring spirit, was marked, among the many of her sex in that day, for the heroic qualities which earned for later generations the political prosperity they have since enjoyed. With such antecedents, it is no cause of surprise that Judge Warren should have acquitted himself in his day and generation with honor. If any qualification of this remark were to be made, it would be to the effect that he did not aspire enough. Content with the quiet execution of the onerous and responsible labors devolved on him, his tastes turned rather to the enjoyment of a society of cultivated friends in private, than to that restless anxiety for prominence which so frequently attends elaborate demonstrations in public life. Hence it happened that even among us in this Society he claimed our attention much too seldom, if we are to judge by the value of his communications when he made any. As it was, he simply proved his capacity to perform a wider part than he cared to undertake. He loved to shine among the choice companions who fully appreciated the variety of his knowledge, and, still more, the pungency of his wit. Thus he passed on, happy and respected, until the period when he decided to give up all work and seek retirement. He had then reached

the three-score years and ten assigned as the limit of man's career. But, though returning to the comparative solitude of his native place, he lost none of the powers which enabled him to make his home the scene of quiet cheerfulness and enjoyment, until the last hour, when, having lost the partner who preceded him but a few days, he experienced the last great blessing that could befall a conscientious mortal,—he passed away as in a sleep.

The other associate whom we have lost is the distinguished professor in Harvard College, Dr. Jeffries Wyman, whose reputation in the field of science which he selected for himself is too well known to need to be dwelt upon by me. Other members will doubtless contribute their word, prompted by a more intimate acquaintance with his peculiar accomplishment than I have. It has been my fortune to know him only as an archæologist, in connection with the trust established by the late George Peabody at Harvard College, of which he was made the Curator; but in that I have had occasion to notice the capacity and the skill with which he has labored to collect and arrange all the acquisitions made by the Trustees, thus by degrees forming a foundation which will prove more and more valuable for relative study as time goes on. It is no more than feeble justice to him to say, that the Museum as it now stands is the result of his discriminating labor.

As offering full testimony to our sense of this great loss, I beg to report from the Council the following resolutions for the consideration of the Society:—

Resolved, That this Society in the death of the Hon. Charles H. Warren, a descendant of the Pilgrims of the Mayflower, and a genuine lover of their character and history, have lost from their roll a venerated associate, respected for his high legal attainments, his general culture and knowledge of affairs, and beloved for his genial character and his social virtues.

Resolved, That the President be requested to appoint some member of the Society to prepare a Memoir of Judge Warren for the Society's Proceedings.

Resolved, That the Society receive with sorrow the intelligence of the sudden decease of their associate, Dr. Jeffries Wyman, Professor of Anatomy in Harvard College, who died at Bethlehem, N. H., on Friday, the 4th instant.

Resolved, That, although it will be the province of the many scientific associations of which the deceased was an active member, and of the College in which he was a distinguished professor, to speak more fully of his attainments in the path of science, this Society cannot omit to record their high sense of his accomplishments as an archæologist,

of the varied culture of his gifted intellect, and of those crowning moral graces which adorned his character as a man.

Resolved, That the President be requested to appoint a member of this Society to prepare a Memoir of Professor Wyman for the Proceedings.

In support of the resolutions, the Society was addressed by Mr. ELLIS AMES and Professor WASHBURN, who paid warm tributes to their late friend, Judge Warren.

Professor BOWEN then said:—

It is not for me, sir, it is hardly for us as members of this Society, to lay a wreath of laurel upon Jeffries Wyman's tomb. He was not a special student of History, except in that large sense in which, as their names import, Civil History and Natural History are two branches from the same trunk; the one narrating the deeds, the other, at least in one of its many chapters, describing the affinities and the physical characteristics, of the human race. From early boyhood Dr. Wyman was an earnest student, an indefatigable prosecutor of natural science; and to the last he was faithful to his first love. As an undergraduate in College, his room was a curiosity shop of anatomical preparations, — of wall-newt, tadpole, frog, "and such small deer," all skilfully dissected, set up and arranged by his own cunning fingers, as specimens culled from Nature's great book, and illustrations of physiological processes. And what was the amusement of his boyhood continued to be his occupation through life. His best legacy to science, and the noblest monument to his name, is the Museum of Comparative Anatomy and Physiology, which he established at Cambridge, and which is filled almost entirely with specimens which he collected and prepared, or with the fruits of his own researches. He was admirably qualified for such labor. His appreciation of the slightest differences of form was so quick and nice as to seem instinctive; while a peculiar delicacy of touch and adroitness in manipulation enabled him to trace the most subtle and intricate processes of Nature's handiwork, and to carry out with precision complex experiments wherewith to test the latest theories in science. At the first glance, a minute fragment of bone told him its whole history, — both the species to which it belonged and its exact place in the skeleton. A few weeks after the surrender of Richmond, towards the close of the war, I accompanied him on a visit to some of the renowned battle-fields in the neighborhood of that city. At Mechanicsville and Cold Harbor, the fields were still thickly strewn with fragments of bone whitening in the sun; and I observed with

wonder the ease and certainty with which, without even stopping to pick it up or examine it, he immediately pronounced the relic, however small, to be that of a soldier, or of one of the animals employed for transport or for the sustenance of the army.

Dr. Wyman's success as a man of science was due in a great degree to those personal qualities which made him so dear to a large circle of friends. He beheld objects in what Lord Bacon calls a "dry light," because his clear intellect was never obscured by the mists of passion, prejudice, or selfishness. To perfect simplicity and integrity of character and great sweetness of disposition, he joined that entire unconsciousness of self which springs from keen interest in the objects of investigation, and from absolute devotion to the cause of truth. That he achieved reputation and builded a name was an accident in his career: he was thinking all the while only of the question which he was investigating, or the experiment that was to settle the doubt. He worked first to satisfy his own curiosity and gratify his tastes, and only bethought himself afterwards of publishing the results of his inquiry. The feelings of jealousy and personal dislike, the hot disputes about priority of observation or discovery, which too often fret the progress of science, never affected him; and the manifestation of them even by others seemed to be rebuked while in his presence. He was one of the most amiable and unselfish of men. I can bear distinct and grateful testimony upon this point. We were schoolmates and classmates, and have been for more than forty years on terms of intimate intercourse and friendship, never shadowed by a cloud; and I do not now remember that I ever heard him speak ill, or even in terms of marked censure, of any human being. To him might be applied, and with even better reason than when first uttered, what Sydney Smith said of Mackintosh, that "he could not hate; he did not know how to set about it. The gall-bladder was omitted in his composition."

Dr. Wyman's publications were not numerous. Except one series of his Lowell Lectures, — secured for the press, as I believe, rather by the zeal of a newspaper reporter than by his own co-operation and assent, — he published only a series of monographs in the various scientific journals of the day. His modesty and truthfulness prevented him from attempting more. He was so constant a learner, he made new acquisitions so rapidly, and appreciated so clearly what the rest of the scientific world were doing, that, before he could complete any extended work, it seemed to him that science had got beyond

his point of departure, and that he must begin again higher up. Among the papers which he has left in manuscript, the notes of observations, experiments, and researches, there is probably much that needs to be duly edited and published. Some of them must have special interest for us, as relating to the sciences of archæology and ethnology, which occupied most of his attention during the later years of his life, and led him to accept the Curatorship of the Peabody Museum of Antiquities, and membership of this Society. The insidious progress of a malady under which he labored for a long period obliged him of late years to spend the winter at the South. But the invalid in search of health was also the acute observer and the zealous man of science, diligently inspecting every mound and shell-heap by the riverside in Florida, which could tell any thing concerning the Indians as they were before the time of Columbus, or perhaps send a faint ray into that thick darkness which hides prehistoric man. His papers and the collections in the Peabody Museum, carefully classified and labelled with his own hands, can alone tell the story of his successful exploration of the banks of the St. John.

Professor TORREY spoke as follows:—

The merits of our departed associate impressed themselves on all who were brought near him; for his scientific spirit was so perfectly in keeping with his character, that his science seemed almost to be a part of his character, and his character of his science. It needed no expert vision to discover the leading traits of his mind and heart: the very absence of display only helped to reveal them. Whoever knew him, no matter how little read in the secrets of science, had no doubt that he was too modest to dictate to Nature; that his scrupulous discretion would be as marked as his diligent zeal; that he would not be jealous over his knowledge, but, with artless and affable courtesy, would pour it out even to those whose only claim was their desire to learn; and that he would leave his reputation to take care of itself. His friends might sometimes regret that he cared so little for notoriety, were it not that just this indifference was one of the attractions of the man. To know him was to pay him the honor he did not seek; with many, to know him was to love him as much as they honored him. He had his knowledge in hand as well as in mind, so that he was a clear and able teacher. He taught by example as well as by statement. One of his pupils, who afterwards left the medical profession for a very different one, warmly acknowledged his large indebtedness, even in his new calling, to the

method of working that he had learned from Professor Wyman. What our friend maintained, he calmly maintained,—too calmly to fall into strife about it, and too disinterestedly to turn it to aught but the service of truth. It would have been hard for him to find an enemy to contend with. The single-minded warmth of his zeal was never urged to the heat of partisan passion.

It was fortunate that, when he was beginning to need relief from the public duties of the professorship he had so long and so acceptably filled, he gradually devoted himself to collecting and arranging the first-fruits of Mr. Peabody's munificent endowment of the Museum of Archæology and Ethnology. With him this was largely a labor of love. To his new station he brought the same strict habit of observation and the same organizing method that had marked his previous career; and he could enlist with excellent profit the kindred knowledge and the trained facility which he had already acquired. In a field of inquiry which is either a paradise of folly or a trial-ground of wisdom, few men could be less likely than he to mistake twilight for noon-day, or to draw infallible conclusions from fallible premises. With his patient firmness, he could use theories without being used by them. His unflagging interest was backed by all the toil that his failing strength allowed. Even his annual exile was not suffered to be barren: he left in the press and in manuscript some of the most valuable results of his explorations in Florida. His own official record of seven years' work in the Museum is a characteristic and honorable monument. He has laid a foundation for which his successors in the institution can never cease to be grateful.

His scientific place it belongs to scientific men to assign; but all who have known him can testify that he was a man of singular balance of mind, and that his whole nature breathed simplicity and sincerity.

Professors PEABODY and WASHBURN also joined in tributes to their late associate and friend, Dr. Wyman.

The following letter from Ex-Governor Clifford was read:—

NEW BEDFORD, Sept. 5, 1874.

MY DEAR MR. DEANE,—There seems to be a *fate* about my doing any thing to testify the grateful sentiments I entertain towards the memory of my life-long friend, the late Judge Warren. I was prevented from being present at his funeral by an unexpected change of time of a railroad train, which failed to connect with the one in which I started from home to attend it. And now, when a word of apprecia-

tion from me to his old associates would be most fitting and appropriate, I find myself entangled by an engagement which I cannot escape, and which renders my presence at the meeting on Thursday impossible. I must reconcile myself to the disappointment with the conviction that there are others who will be present who will not fail to express their sense of the genial qualities and the commanding ability that marked his years of usefulness, and "the honor, love, obedience, and troops of friends" that accompanied his retirement from the associations and activities of the world.

In full sympathy with every fitting tribute that may be offered in memory of one with whom I was so long and so intimately associated, and whom I loved so well,

I am always faithfully yours,

JOHN H. CLIFFORD.

CHARLES DEANE, Esq.

The resolutions were unanimously adopted, and Ex-Governor Clifford was appointed to prepare the Memoir of Judge Warren, and Professor Bowen that of Dr. Wyman.

The Chairman then said: A cable despatch has just announced the decease of François Pierre Guillaume Guizot, LL.D., elected an Honorary Member of the Society in 1857.

The following letter from Mr. Winthrop, the President of the Society, was now read:—

WILDEBAD, WÜRTEMBERG, Aug. 6, 1874.

MY DEAR MR. ADAMS,—I avail myself of a quiet moment, in this little nook of the Black Forest, where I am passing a few weeks for the health of one of my family, to inform you officially of a gift to our old Historical Society, which, I am sure, will be received with interest and acknowledged with gratitude.

It is an exact copy of that portrait of Washington which was intended for the stadtholder, in 1780, and which was captured, with Laurens, by Captain Keppel of the British navy. Laurens, as you will remember, had been appointed our minister plenipotentiary to Holland, in 1779, and was on his way to the Hague. His imprisonment in the Tower for more than a year made a serious impression on his health; but he survived to be one of the signers of the preliminary treaty of peace, I believe, in November, 1782. I have forgotten how much longer he lived; but it is interesting in these days, when "cremation" has become one of the topics of social science, to recall the fact, or certainly the story, that, agreeably to his own directions, his body was burned, and his ashes collected and buried.

Meantime, the portrait of Washington, which he had in charge, happily escaped from all detriment, and, having been claimed and allowed as personal prize, was presented by the captor to his uncle, Admiral Lord Keppel. It thus became one of the treasures of Quidenham Park, the seat of the Earl of Albemarle, the present head of

the Keppel family, in Norfolk. It is by no means a work of high art, and I am at a loss to conjecture by whom it could have been painted. It has no signature, I learn, and there is no tradition at Quidenham as to the artist's name. Perhaps the journals of Congress, or the newspapers of the period, may furnish a clew to the problem. Some of the emblems and allegorical illustrations, if I may so call them, suggest a French artist. But the main interest of the portrait is derived from the fate which befell it; from the period of Washington's life at which it was taken; and from the broad blue ribbon which is so conspicuous a feature of his costume.

The Hon. and Rev. Thomas Keppel, in his *Life of the gallant admiral*, mentions the portrait, and is much perplexed to account for this blue ribbon. It was at one time construed in some quarters into a confirmation of the mistaken idea that Washington was made a marshal of France when Rochambeau was sent over to our aid.

But our Society will not forget that this whole subject was treated with great ability in a paper read at a Social Meeting in the month of January, 1859, by our lamented associate, Judge Warren, whose death has so recently been announced, and in the tribute to whose memory I should so gladly have united. This paper, printed in one of the early volumes of our *Proceedings*, called attention, for the first time I believe, to the orderly book of Washington, at Cambridge, in 1775, which showed that the blue ribbon was prescribed as the distinctive designation of the commander-in-chief, so that he might be recognized by the troops to whom, on his first coming, he was so entire a stranger.

It was certainly this paper of our deceased associate and friend, Judge Warren, which first awakened a special interest in the portrait at Quidenham; and, happening myself to be in England a few months after it was read, I made an incipient movement towards procuring at least a photograph of it. I found it, however, altogether impracticable at that time; and circumstances beyond my control prevented me from even availing myself of the permission which Lord Albemarle then kindly gave me to see it.

Within a year or two past I was fortunate enough to allude to the portrait, and to mention my desire to secure some sketch or copy of it for our Society, to a valued friend of yours, as well as of my own, — Alexander Duncan, Esq., long an honored citizen of Rhode Island, but now resident in London. Mr. Duncan entered at once into my views, and most kindly promised to make a personal effort to accomplish them. By his intervention with his friend, the present Lord Albemarle, permission was obtained for making a copy of the portrait, and the services of a skilful artist were secured for the purpose. The portrait was photographed, and the photograph magnified to the precise dimensions of the original. The copy was then finished on canvas, in oils and colors, in the immediate presence of the original, so as to leave no room for the slightest discrepancy between them. It is indeed pronounced to be a perfect *fac-simile* of the portrait, just as it was painted for the stadtholder and captured by Keppel, nearly a hundred years

ago, and which has hardly ever been seen by an American eye from that day to this.

Of the success of this reproduction the Earl of Albemarle, who took a warm, personal interest in the work as it proceeded, thus writes to Mr Vernon Heath, under whose direction it was done, and to whose superintending care it owes so much:—

QUIDENHAM PARK,
ATTLEBOROUGH, March 31.

DEAR SIR,—Of the skill that Mr. Vivian has shown in producing a faithful copy of my picture of Washington, there can be no doubt in the mind of any one who has seen, as I have, the copy and the original side by side. The Americans ought, therefore, to be thoroughly satisfied with a correct portrait of their illustrious countryman. If as a work of art, and not on account of its historical merit, a finer picture be not produced, the fault is with the original and not with the copy.

I am, dear sir,

Yours faithfully,

VERNON HEATH, Esq.

ALBEMARLE.

I enclose the original of this letter for our files, so that our copy of the portrait may never be without an authentic attestation of its fidelity.

You will agree with me, I am sure, that our most grateful acknowledgments would have been due to our excellent friend, Mr. Duncan, if he had only procured for us an opportunity of obtaining for ourselves an exact reproduction of so interesting a memorial of Washington and of our Revolutionary struggle. But, while I was recently with him in London, he authorized me to present it to our Society as his own gift; and they will accordingly receive it as such, and place such an inscription upon it as will perpetuate the record of his liberality.

Meantime, I have so far presumed on the willingness of the Society to make proper provisions for it, as to instruct Mr. Vernon Heath to have a *fac-simile* prepared of the simple but effective frame in which it has been enclosed from the first, so that it may take its place in our gallery precisely as the original is now found in the gallery of Lord Albemarle. I have also caused it to be insured in London. . . .

I cannot conclude this letter without suggesting — what, indeed, could not fail to have occurred to yourself — that we owe our respectful and grateful acknowledgments to the Earl of Albemarle for yielding to the desire which had been communicated to him, and allowing the portrait to be copied for us, and for the obliging interest he has taken in the work, and the facilities he has afforded for its accomplishment.

Nor can we omit to express our obligations to Mr. Vernon Heath, for the fidelity and success with which he has executed the commission given him by Mr. Duncan in our behalf. A full-length portrait, of life size, with so many details of dress and illustration, in a private gallery at a long distance from the metropolis, was no easy thing to copy.

Believe me, dear Mr. Adams, with great regard and with kind remembrances to our associates, very sincerely yours,

ROBERT C. WINTHROP.

HON. C. F. ADAMS,
Vice-President of the Massachusetts Historical Society.

The following resolutions were offered from the Council, and unanimously adopted:—

Voted, That the grateful acknowledgments of the Society be returned to the Right Honorable the Earl of Albemarle, for his courtesy in readily acceding to the wish communicated to him in their behalf, for permission to take a copy of the portrait of General George Washington, long in the possession of his family, as well as for the kind interest manifested in promoting the accomplishment of the work.

Voted, That the grateful thanks of the Society be returned to Alexander Duncan, Esq., for facilitating the object named in the communication of Mr. Winthrop, by his friendly intervention, both with the proprietor of the portrait and with the eminent artist to whom the execution of the copy was confided, and, last of all, for his generous assumption of the charges incident to the undertaking.

Voted, That the thanks of the Society be presented to Vernon Heath, Esq., for the interest manifested by him in the prosecution of the trust of reproducing the portrait of Washington, as shown by the felicitous manner in which it has been accomplished.

The following letter from our associate Mr. R. B. Forbes, relating to the log of the schooner "Midas," the first American steamer which passed the Cape of Good Hope, was read by the Chairman:—

MILTON, July 6, 1874.

HON. ROBERT C. WINTHROP, President Historical Society, Boston.

MY DEAR SIR,—Supposing that the facts connected with the history of the first American steamer that passed the Cape of Good Hope may be interesting to the Historical Society, I now beg leave to present the Log of steam schooner "Midas," sailing from New York on the 5th November, 1844; arriving at Mauritius on the 21st February,—109 days out; sailing March 22d; arriving at Singapore, April 22d; sailing April 27th; and arriving in China on the 14th of May,—having been 156 days at sea. She was under the command of William Poor. The "Midas" was just 188 tons register, and had twin screws of composition; she was rigged as a topsail schooner, and left New York with her propellers shipped, and under steam. The intention was only to use the steam in calms and light winds, and to get the vessel to China for use on the river. During the run to Mauritius, she used steam about 10 days in all; with a strong fair wind she could go, with the wheels ungeared, nine knots; but on a wind they were a great impediment; the wear and tear of revolving when under sail caused the composition-boxes, through which the shafts came, to wear very

much, so that she leaked badly, and it was deemed prudent to go into Mauritius for repairs. Undertaking to steam at all before getting to Singapore was a fatal mistake: the wheels should have gone out in the hold.

Since that day the shafts of propellers have been run on lignum vitæ bearings, which, when kept wet, do not wear like brass. The longest run made going to Mauritius under sail was 230 knots, with the wheels ungeared and making about 40 revolutions, showing that the "Midas" was a good sailer. Going from Mauritius to Singapore in 31 days, she was under steam about half the time; her greatest day's work, 169, was made under sail alone. From Singapore to China in 16 days, she steamed about one-third the time; her best day, 177, under sail alone. The engineer of the "Midas" proved to be incompetent, and soon ruined her boiler, so that she was sent home, *vid* Rio Janeiro, under sail. Her machinery was taken out, and she was sold, and for some time belonged to Paddleford & Fay, of Savannah, and was in the Rio Janeiro and New Orleans trade, and considered a successful sailing vessel. The hull was built by Mr. Samuel Hall, of East Boston; the engines were designed by Ericsson, and built by Hogg & Delamater, of New York. Captain Poor said that when she was under sail, going her best, the wheels made, ungeared, about 40 turns, — showing a great drag on her. Supposing the wheels averaged, for 150 days under steam and sail, 30 turns, they would have made nearly six and a half million turns going to China. By carrying them out as cargo, all this wear and tear and cost of repairs, delay at Mauritius, and cost of coal would have been saved, and the time used would have been less; the vessel would have arrived out in good order, and would have proved a success instead of a failure.

I think the papers I send you will at some future day be found interesting.

I am very faithfully your servant, R. B. FORBES.

The thanks of the Society were returned to Mr. Forbes for these valuable papers.

An application was read from the Rev. H. W. Foote, asking permission to make extracts from the diaries of Judge Sewall and of the Rev. Dr. Pierce, as indicated by him, and also from such other MSS. as may bear on the history of King's Chapel; which was granted, under the rules of the Society.

The Recording Secretary read extracts from some letters received from the President of the Society, Mr. Winthrop, during the past summer. These, he thought, would serve to show that, though absent from his place at the meetings, the President was not unmindful of the interests of the Society, and that its welfare was constantly cherished by him. In one of his letters a brief allusion was made to his visit to Cambridge, where he met our associate, Mr. James Russell Lowell, who, with himself, was the recipient of the highest honors from the ancient University in that place.

THE GEORGE INN, BANGOR, WALES,
28 May, 1874.

MY DEAR MR. DEANE,—Your kind note of the 14th instant reached me yesterday, at Dublin. We landed at Queenstown on the 15th, and spent two or three days at Cork. On one of them I ran down to Youghal (pronounced *Yawl*), and saw the old Elizabethan house in which Sir Walter Raleigh lived in 1588, where he is said to have had Spenser for a visitor, and to have read parts of "The Faerie Queene," and to have planted the first potato! I believe the old story about his frightening his servants by smoking a pipe is attributed to the same locality. At any rate, it is a most interesting old mansion, with yew-trees of four or five hundred years old. From Cork I went to Killarney, by the grand route of Glengarriff Bay, and, after two or three days at the Lakes, came up to Dublin. While there I did not fail to visit the Museum of the Royal Irish Academy, which contains one of the very best archæological collections to be found anywhere, —surpassing even that of Copenhagen, I believe, in the variety and value of its *gold* ornaments. This morning we crossed the Channel, and shall spend a few days in Wales before going to London. I rejoice to hear that you had so successful a meeting of our Society on the day you wrote, and that the letters I procured from Colonel John Winthrop proved so interesting. . . . Sir Bernard Burke (our new Corresponding Member) was not in Dublin. He has gone to Bath for his health.

I would advise all American travellers to stop at Queenstown, if they come over at the right season, and see something of Ireland. The scenery where I have been is lovely. Every thing was in bloom, —hawthorns and laburnums and lilacs and roses. The drive to Glengarriff, and so over the mountains to the Lakes of Killarney, was really magnificent. The environs of Dublin, too, — Powerscourt and the Dargle, and Bray Head, —are exceedingly beautiful.

You have seen all this, I am sure, and have visited, too, the noble library of Trinity College, Dublin. . . . I was here myself, twenty-seven years ago, on my first visit to Europe, but had almost forgotten how much there was to interest one.

Remember me most kindly to all our associates in the Dowse Library, and to our good friend, Mr. Grigsby, whenever you write to him.

In haste, but ever faithfully, yours,

ROBERT C. WINTHROP.

CHARLES DEANE, Esq.

TORQUAY, 11 July.

DEAR MR. DEANE,—While I was in Lincolnshire, I went to see Archdeacon Trollope, who is emphatically the antiquarian of that region. He is the general president of the archæological societies of two or three counties, and contributes largely to their publications. He wrote to me before I left London, saying that he should direct his publisher to send me a copy of their latest volume, and proposing an

exchange with our Society. I should like, therefore, to begin by sending him the first volume of our Fifth Series of Collections; and hereafter we may send him a volume of Proceedings whenever a new one is printed. He publishes a volume every year, and I think such an exchange will be interesting and useful for us, as Lincolnshire and Nottingham, and that tier of counties, are in the range of our early New-England emigration. He gave me, also, a new Pedigree of the Johnson Family, containing one or two generations anterior to Isaac and Arbella Johnson. I shall bring home the Pedigree and the volume of Proceedings with me, if I do not send them along in advance of my return.

Thursday, WELLS, 16 July.

We ran up from Torquay to Ilfracombe, and so along the North Devon Cliffs to Lynton (an exquisitely beautiful route), and then to Taunton, and yesterday we came here. We are staying with Lord Arthur Hervey, the Bishop of Bath and Wells, at his ancient and magnificent palace. Yesterday afternoon we wandered over the hills with him and his daughters (after attending service at the cathedral), taking our tea with us, and drinking it under the trees, and returning to a nine o'clock dinner. This evening Freeman, the historian, who lives only two miles off, is coming to dine with us, and a canon of the cathedral, in perfect preservation and activity, at ninety-seven! . . . As I came down from Lynton, we stopped to rest our horses at a charming little seaside place called Porlock. In the twenty minutes I was there, I picked up from the table an old volume of the "Gentleman's Magazine" for 1756, Vol. 26. It had on the first page, or on the reverse of the title-page, some lines, of which I copied four:—

"Reluctant now, by Truth and Sorrow led,
You show Minors lost, and Braddock dead;
Show wrong'd America, who sues in vain
That Peace may bless her ample stores again."

A note to this passage, referring to the frontispiece, says: "The principal figures represent America suing for assistance to Britannia, who seems to grant the request by pointing to an emblematical figure representing Military Force."

PARIS, 29 July, 1874.

DEAR MR. DEANE,—Before leaving London, I made up a little parcel for our Society; and Mr. Morgan, who sails next Saturday, I believe, (this is Wednesday), has promised to have it delivered at our rooms. It contains a number of pamphlets connected with the University of Old Cambridge, which I picked up when I was there. . . . It contains, also, the Pedigree of Isaac Johnson's Family, which I do *not* give to our Society, but *deposit* it for the present. You may find something in it worth referring to in our Proceedings. Then there is

the latest report of George Peabody's dwellings for the poor in London, which shows remarkable results. But, lastly, there are three or four *manuscript* papers from the Record Office, which Mr. Sainsbury had copied for me. . . . I selected them by the titles on the calendar, and took them at a venture. They seem to me interesting; and, if they have not already found their way into print, they may form an item for our Proceedings. Yesterday Count Circourt came to lunch with me, and I had the American Minister (Washburne) and General Meredith Read to meet him. Read is here, on leave, from Athens, where he is Minister, and sails for America, with his wife, to-morrow. He also takes a parcel for the Society, of which he is a Corresponding Member. It contains two numbers of a Swiss review, which have interesting articles by Count Circourt, and which are sent by him. . . . We leave here in a day or two for the baths at Wildbad, in the Black Forest, having only stopped in Paris long enough to rest, and repack our trunks. I saw Mr. Bancroft for an hour or two in London. He sails at once for America, and looks young enough to write another history in ten volumes. He has a volume just ready, and is proposing now to revise his early volumes on the Colonization of New England. . . . I shall take with me to Wildbad, to read there, the two large volumes of the Count de Paris on the American Civil War, which are to be followed by five more!

Yours ever sincerely,

ROBERT C. WINTHROP.

CHARLES DEANE, Esq., LL.D.

WILDBAD, WÜRTEMBERG, 8 Aug. 1874.

DEAR MR. DEANE, — . . . I have just been reading the articles on John Barneveldt, in the Edinburgh and Quarterly for July, with which Mr. Motley ought to be satisfied. I have been cutting the leaves here, also, and running through, *per saltum*, the two volumes of the Count de Paris on our Civil War. It seems to me able, impartial, and, upon the whole, admirable as a history by a foreigner. I doubt if there has been any thing so well done by anybody else. If the other volumes shall be as good, it will entitle him to a high place as a narrator of scenes in which he was also an actor. . . . There are certainly very just and discriminating notices of men and things and parties in the passages on which my eye has rested, — for I do not pretend to have read it carefully or thoroughly. . . . This is a quiet, quaint, little place, with the hills and valleys of the Black Forest hedging us in on all sides, and with hot mineral water bubbling out from the rocks. A band of music, near the bath-house, opens the day with one of Martin Luther's grand old chorals, and then launches into waltzes and polkas, or, haply, lingers over a sonata of Mozart or a symphony of Beethoven. A charming promenade, under "the shade of melancholy boughs," and along the banks of a leaping, sparkling little stream, here called a *river*, affords the principal diversion. One meets there the lame and halt and the blind, paralytics in their

bath-chairs, sometimes pushed along by the loving hands of wives or children, sometimes by faithful valets, and then again troops of gay Germans, cigar *à la bouche*, chatting merrily in a language which I wish I could understand or admire. We shall be here at least a fortnight longer, and then get a hurried glimpse of Switzerland and the Italian lakes, before getting round to Paris. When I am once there again, I shall be able to speak more certainly as to the time of my return.

Yours sincerely,

ROBERT C. WINTHROP.

CHARLES DEANE, Esq., LL.D.

The Secretary also communicated the following papers, recently received from London, which had been copied for the Society from Her Majesty's Public Record Office, by order of the President, and at his own charge:—

State Papers (Dom.), Car. I. Vol. 96, No. 63.

[*Mr. Michaell Meanwell to Mr. Mathew Markwell, about the ceremonies of the Church of England.*]

Mr Mark-well; the last time J was with you, J remember you much desired to know of me, Why J with others haue resolved to goe into new England. My answer then was & now is because of that dislike which we haue against the cerimonies imposed, agaynst the Regiment & gouernment established, and agaynst sum poynte of Doctrine defended euen by authoritie, here in this Church of ould England. Vnto which three poyntes, viz. cerimonies, gouernment & Doctrine all that liue in this Church of England must yeeld & subscribe vnto or els suffer as euill doeris. But forasmuch as we can playnlie proue them to be contrarie to the Word of God reuealed in the scriptures (wth word ought to be our rule to direct vs in all our Wayse) we rather follow the aduise of him who is best able to giue vs good counsell, to wit Christ Math.10.23. Jesus, who bids vs when we are persecuted in one place to flee into another, then to take your counsell pswading vs that we may, if we will, liue peaceably & with a good conscience here in this land. Now because you earnestlie intreated me to write vnto you breiflie how J proued these three things to be contrarie to the scriptures, J am verie willing to answer you desire herein, and am perposed to write vnto you three seuerall letters concerning the three former exceptions. And first of the Cerimonies; touching which J lay downe this conclusion, That the rites & cerimonies ordained in the Church of England are Popish & Antichristian and haue no Warrant from the Worde of God to be

used & therefore no man may or can obey allow or subscribe vnto them without sinn, the wages wherof is damnation.

Now, good Mr Markwell, J would intreate you in all loues to Jmitate your name in you practice, and to mark well with an impartiall Judgment those scriptures w^{ch} shall be propounded for confirmation of this conclusion; for heerin J shall not need the art of logick to help me, the allegations of scripture shall be so easie, euen to the meanest capacitie. The scriptures speak diuers & seuerall wayes in profe heerof; first by those scriptures which inioyne vs onlie to the obseruation of Gods comaundemente & free vs from the obseruation of mens comaundements.

The lord sayth this by Moses: Heare O Israell the statutes Deut. 5.1 & Judgments which J speake in you eares this day that ye ^{6.1.} may learne them and keepe & doe them. These are the comaundements, the statutes & the Judgments w^{ch} the lord you God comaunded to teach you that ye might doe them. And Christ sayth: In vaine they doe worship me, teaching for Math. 15.9. Doctrins the comaundements of men. And S^t Paule sayth Col. 2. 20. to the Collossians: Why are ye subiect to ordinances after the ^{23.} comaundements & Doctrines of men. And to Titus he sayth: Tit. 1 14. giue no heed to Jewish fables and comaundements of men.

These scriptures are playne enough to proue, that we must obey and obserue all the comaundements of God expressed in his Word, and no more, in his Worship and seruice, for whatsoever is more are comaundements of men w^{ch} Christ & S^t Paule expresslie forbids. Now let vs parellell & compare our cerimonies with the Word of God, and we shall find that there is not any one comaundement for them. We finde Deut. 31.11. that the Minister is to read the scriptures vnto the people; this is the comaundement of God & must be obeyed, but that they must read in a surplisse is onlie the comaundement of men & therefore must not be donne. That ministers should baptise is the comaundement of God w^{ch} sayth, goe preech & Mat. 23.19. baptise, & therefore must he donne, but to baptise w^t the Crosse, interrogatories ministred to infants, godfathers & godmothers & the like, these are the comaundements of men & therefore ought not to be donne. To receiue the sacra- Math 26.26. mente of Christs bodye & blood is the comaundement of Christ, and therefore must be donne, but to receiue it kneeling, to come vp to the rails to reseiu, and the like, are the comaunde- 1 Cor. 14.15. ments of men and therefore ought not to be donne. To pray Jude 20. in the spirit & in the holie ghost is the comaundement of God & therefore must be donne, but to reade prayers & pray by the booke is onlie the comaundement of men & therefore ought not to be donne. The like may be sayd of all other ceremonies used in our Church.

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Col. 16.
17. 20. 21.
22. 23.

monthes & times & yearis. J am afrayd of you least J haue bestowed vpon you labour in vaine. And writing to the Colossians he sayth, Let no man condembe you in meate or in drink, or in respect of an holiday, of the new moone, or of the sabbath dayis, w^{ch} are but shadowes of things to come. Wherefore if ye be dead with Christ from the rudiments of the World, why as though liuing in the world, are ye subject to ordinances of men, w^{ch} things haue indeede a shew of wisdome in will-worship & humilitie.

All w^{ch} places of scriptures euidentlie proues, that now in the time of the Gospell, all such Customs, Cerimonies, rudiments & the like w^{ch} are but shadowes or figures of substances, ought to be abollied & abandoned, for we are expresselie comaunded to stand free in our libertie from them, w^{ch} libertie Christ hath purchased for vs. We must not intangle our selues in such yokes of bondage; they tempt & provoke God to anger, they are heauie burdens, they are but shadowes & beggerlie elements, onlie a shew of wisdome, & Wil-Worship. &c.

Now good M^r Markwell, doe but compare our ceremonies, rudiments & customs of ou^r Church wth these forbid in the scriptures, and mark-well if they agree not: is not our surplice, the crosse, standing vp at the Creed & such like meere shadowes & figures; is not the kneeling at the comunion, bowing at the name of Jesus, praying by the booke & such like, will-worship; is not obseruation of dayes & times, keeping hollie dayes, obseruing fasting dayis, prohibiting mariage for certaine times. Churching of women, marrying with the ring & such others, are not these beggerlie elements & rudiments. Mark-well J pray you, good M^r Mark-well, & consider rightlie of these pointes, and the Lord giue you vnderstanding in all things. Thus far J haue proued that these orders, rites and cerimonies, vsed in ou^r Church, are not ordeyned by Christ, or by any of his Apostles or disciples, or once mentioned by them to be vsed in the Church, but contrarilie forbid. Who then ordeyned them: I answer, Antichrist, viz. the Pope, the greatest enimie that Christ hath on earth; his lawes, edicts & iniunctions they are, as M^r Cartwrit, M^r Answorth, M^r Penrie, M^r Knox with infinite others hath abundantlie proued, in their seuerall works: know ye not therefore (M^r Mark-well) that to whome ye yelde you^r selues seruants to obey, his seruants ye are to whome ye obey, as the Apostle sayth, but ye yeld to obey the lawes of Antichrist, therefore it must needes be, that his seruants ye are, from w^{ch} seruitude & bondage my harts desire shall be for you^r release. And thus much shall serue for confirmation of my conclusion concerning rites & cerimonies; expect verie shortlie the too other conclusions, viz. of gouernment & doctrine. Concerning gouernment J will breifelie declare that

Rom. 6.16.

it is Antichristian, both by the swelling & Lordlie Titles of the Prelates, as also by their vsurped authoritie ouer their bretheren, appropriating that cheifdom vnto themselues w^{ch} is common by right vnto all. And then concerning doctrine (although J cannot be so larg as willinglie I would when J shall come vnto it yet) I will make it manifest enough, that sum of the mayne articles of our fayth are grosselie corrupted, as that great & weightie poynt of Gods predestination, erroneously teaching, that God from all eternitie hath elected sum vnto saluation & apointed others to destruction, vpon his foreknowledg of good & euill in them. 2th That Christ Dyed for all men, as well for them that are not saued, as for them that are saued. 3th that all Children dulie baptised are saued. Fourthlie, that a man may be in the state of grace & saluation & yet fall away & be dambned. Fiftly, that this our Sabbath day is no Sabbath, nor hath any diuine institution nor comaunded in the Word of God; w^{ch} find, not being all but onlie principall, I haue onlie named them that you may bethinke you self of them vntill such time as J shall write of them vnto you. Meanwhile J comend this my letter & the things therein conteyned to your serious consideration & so farwell
 Yours in what J can MICHAELL MEAN-WELL.

from my howse at

Littleworth this 20th of March 1627.

[Addressed:] To his aproned frend M^r Mathew Mark-well at his howse in Muse-much Parish giue this.

[Indorsed:] Sett vpon the church of Flamsted in com. Hertf. & dired by M^r Sand^r of the Star-chamber.

S. P. (Dom.) Car. I. Vol. 164, No. 40.

Articles objected by his Ma^{ties} Comissioners for causes Ecclicall against Charles Chauncey, Clerke, Vicar of Ware in the County of Hertford and Diocess of London, as followeth.

1. Jmprimis, We aſſe and object vnto you, the sayd Charles Chauncey, that you are a minister in holy orders of Preisthood and Vicar of the pish Church of Ware in the County of Hertf and diocesse of London aforesayd, and soe haue beene these two yeares last past or thereabout, and that at the tyme of y^e admission and Institucon to the sayd Vicaridge you subscribed to the artles of Religion agreed vpon in the Convocacon holden at London in Anno Dñi 1562, accordinge to the Computacon of the Church of England, and likewise vnto the booke of Ccon Prayer by publique authority established, and alsoe you tooke your oath of Canonically Obedience to the Lord Bpp. of London, your Ordinary, and vnto the Lord Archbishoppe of Canterbury, et obmus et aſſamur con^m et di^m et de quobet.*

2. Jtem, We aſſe and object vnto you, the sd Charles Chauncey, that you, little regarding the peace of the Church, y^e suscripcon and oathe

* Objicimus et articulamus conjunctim et dispersim et de quolibet. — Ebs.

bath-chairs, sometimes pushed along by the loving hands of wives or children, sometimes by faithful valets, and then again troops of gay Germans, cigar *à la bouche*, chatting merrily in a language which I wish I could understand or admire. We shall be here at least a fortnight longer, and then get a hurried glimpse of Switzerland and the Italian lakes, before getting round to Paris. When I am once there again, I shall be able to speak more certainly as to the time of my return.

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Math. 10.23. Jesus, who bids vs when we are persecuted in one place to flee into another, then to take your counsell psuading vs that we may, if we will, liue peaceably & with a good conscience here in this land. Now because you earnestlie intreated me to write vnto you breiflie how J proued these three things to be contrarie to the scriptures, J am verie willing to answer you desire herein, and am perposed to write vnto you three seuerall letters concerning the three former exceptions. And first of the Cerimonies; touching which J lay downe this conclusion, That the rites & cerimonies ordained in the Church of England are Popish & Antichristian and haue no Warrant from the Worde of God to be

used & therefore no man may or can obey allow or subscribe vnto them without sinn, the wages wherof is damnation.

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- turne aside out of Gods comaundements one way or other;
- Deut. 5.32. as the text sayth, Ye shall obserue to doe as the lord you God comaunded you, you shall not turne aside to the right Hand or to the left. Whereby is plainlie proued that God requires of vs such an exact conformitie to his comaundements, that we may not step aside out of them into our owne inventions or any humane traditions, but vprightlie keepe that pathe & walk in that way which God hath expresslie comaunded.
- Deut. 17. We may not decline from Gods sentence to the right hand or to the left. To baptise, to administer the Lords Supper, to pray, to bow our harts and soules vnto God, to professe & confesse our fayth, and the like, this is to walk in the comaundements of God; but to baptise with the Crosse, to weare a surplisse, kneeling at the comunion, to pray by the booke, to bow at the name of Jesus, to stand vp when we make confession of our fayth, and such like, this is not to walk in the comaundements of God. Men in the practice hereof are turned aside out of Gods comaundement into mens traditions; they are stept aside, eyther to the right hand or to the left.
- Josh. 1. 7. 3^{uo} This is proued by such places of scripture as expresslie forbids all addition vnto or diminishing from the pure word of God; as the text sayth, ye shall not adde vnto the Word which J comaund you, neyther shall you diminish ought from it. And agayne, What thing soeuer J comaund you, obserue to doe it, thou shalt not adde thereto nor diminish from it. By which places of scripture it is playne, that the word is so pfect a rule for all our actions in his worship & seruice, that nothing neede or ought to be added thereto or taken therefrom. Now it is playne, that to baptise is Gods comaundement, but to baptise wth the crosse is mans addition; to read the scriptures is Gods comandement, but to read in a surplisse is mans addition; to pray in the spirit is Gods comaundement, but to pray in the booke is mans addition; to receiue the comunion is Gods comaundement, but to receiue kneeling & at the rayles is mans addition; to confesse our fayth is Gods comaundement, but that we must stand at our confession, that is mans addition & so J might speake of all the rest.

- Deut. 4.2 & 12.32. 4^{uo} This is proved by all such places of scriptures which reprehend & reprove those who haue vntempered to doe that in the worship & seruice of God which he had not comaunded of them to be done. Thus was Nabab & Abihu destroyed, because, sayth the text, they had offered strange fire before the Lord w^{ch} he comaunded them not. So the wicked and puerse Jewes that stood so much vpon their Cerimonies, the lord reproves them thus, saying, Who hath required this at your hand. So the Lord complains by the prophet Jeremie, saying, J spake not vnto your fathers, nor comaunded them,
- Leuit. 10.1. Jsa. 1.12. Jer. 7.22.

in the day that J brought them out of the land of Egypt, concerning burnt offerings & sacrifices, but this thing comaunded Jer. 19.5. J them, saying, obey my voice, and I will be your God and ye shall be my people, and walk ye in all the ways that J haue comaunded you. Againe, a fearfull Judgment is threatened by the same Prophet, because, sayth the Lord, they haue donne that w^{ch} J comaunded not, nor spake it, neyther came it into my minde. Dauid had an intent to build a howse of Cedar vnto the Lord, but because he had no comaundement so to doe, he was not pmitted the same, for, good Mr Markwell, J pray you, Mark well Gods answer vnto him by the prophet Nathan, saying, Jn all the places wherein J haue walked with 2 Sam. 7. all the Children of Jsraell spake J one word, saying, why build 2.7 ye not me a howse of cedar. So that howsoever God had not forbid Dauid to build him an howse, yet because the lord had not comaunded him so to doe, he ought not to haue donne it. All w^{ch} scriptures proue that nothing ought to be donne in the worship & seruice of God, w^{ch} God hath not comaunded. But the Crosse in baptisme, questions to Infants, Godfathers & godmothers, the surplisse, kneeling at the comunion, bowing at the name of Jesus, standing vp at the reading of the Creed, praying by the booke & many others the like, w^{ch} God in his Word neuer comaunded to be donne, therefore they ought not to be practised. Therefore the Lord may Justlie reprove those who practise these things, as he reproveth the Jewes, saying, who hath required these things at you hands, and with as much Justice punish them for offring such strang seruice vnto him, which he required not, as he did Nadab & Abihu for offering strange fyre vnto the Lord which he comaunded not. J say agayne & agayne, markwell this argument of ours for refusall, to wit, we will not nor may not aproue of these things, because the Lord hath not comaunded them.

Fiftie, ou conclusion is proued by all such places of scripture w^{ch} expressly teach that the law of Cerimonies is abrogated, and the vse of such rites and rudiments abollihed. To this porpose S^t Peter sayth (by way of reprehension vnto those who stood so much vpon Cerimonies) thus why tempt ye God Act 15.10. to put a yoke vpon the neck of the disciples, w^{ch} neyther our fathers nor we were able to beare. Here the cerimonies & rites vrged by sum of the Cerimoniall Jewes is called a yoke of bondage, viz. a burden too heauie to be bourne, and a Tempting of God, viz. a provoking of him to anger; therefore S^t Paule counelleth the Galatians & vs by them, that we Gal. 5.1. should stand fast in the libertie wherewith Christ hath made vs free & be not intangled agayne w^t the yoke of bondage. Againe, S^t Paule writing to the same Church of Galatia, sharplie reproueth them for turning backe agayne to the Gal. 4.3. weake & beggerlie rudiments Elements, wherewith (sayth 9. 10. 11. he) ye desire agayne to be in bondage. Ye obserue dayes &

Col. 16.
17. 20. 21.
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Now good M^r Markwell, doe but compare our ceremonies, rudiments & customs of ou^r Church w^h these forbid in the scriptures, and mark-well if they agree not: is not our surplice, the crosse, standing vp at the Creed & such like meere shadowes & figures; is not the kneeling at the comunion, bowing at the name of Jesus, praying by the booke & such like, will-worship; is not obseruation of dayes & times, keeping hollie dayes, obseruing fasting dayis, prohibiting mariage for certaine times. Churching of women, marrying with the ring & such others, are not these beggerlie elements & rudiments. Mark-well J pray you, good M^r Mark-well, & consider rightlie of these pointes, and the Lord giue you vnderstanding in all things. Thus far J haue proued that these orders, rites and cerimonies, vsed in ou^r Church, are not ordeyned by Christ, or by any of his Apostles or disciples, or once mentioned by them to be vsed in the Church, but contrarilie forbid. Who then ordeyned them: I answer, Antichrist, viz. the Pope, the greatest enimie that Christ hath on earth; his lawes, edicts & iniunctions they are, as M^r Cartwrit, M^r Answorth, M^r Penrie, M^r Knox with infinite others hath abundantly proued, in their seuerall works: know ye not therefore (M^r Mark-well) that to whome ye yelde you^r selues seruants to obey, his seruants ye are to whome ye obey, as the Apostle sayth, but ye yeld to obey the lawes of Antichrist, therefore it must needes be, that his seruants ye are, from w^{ch} seruitude & bondage my harts desire shall be for you^r release. And thus much shall serue for confirmation of my conclusion concerning rites & cerimonies; expect verie shortlie the too other conclusions, viz. of gouernment & doctrine. Concerning gouernment J will breifelie declare that

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[Indorsed:] Sett vpon the church of Flamsted in com. Hertf. & dired by M^r Sand^r of the Star-chamber.

S. P. (Dom.) Car. I. Vol. 164, No. 40.

Articles objected by his Ma^{ties} Comissioners for causes Ecclicall against Charles Chauncey, Clerke, Vicar of Ware in the County of Hertford and Diocess of London, as followeth.

1. Jmprimis, We afile and object vnto you, the sayd Charles Chauncey, that you are a minister in holy orders of Preisthood and Vicar of the pish Church of Ware in the County of Hertf and diocesse of London aforesayd, and soe haue beene these two yeares last past or thereabout, and that at the tyme of y^r admission and Jnstitucon to the sayd Vicaridge you subscribed to the artiles of Religion agreed vpon in the Conuocacon holden at London in Anno Dñi 1562, accordinge to the Computacon of the Church of England, and likewise vnto the booke of Ccon Prayer by publique authority established, and alsoe you tooke your oath of Canonically Obedience to the Lord Bpp. of London, your Ordinary, and vnto the Lord Archbishoppe of Canterbury, et oñmus et aīlamur con^m et di^m et de quolibet.*

2. Jtem, We afile and object vnto you, the sd Charles Chauncey, that you, little regarding the peace of the Church, y^r suscripcon and oath

* Objicimus et articulamus conjunctim et dispersim et de quolibet. — Eñs.

of Canonick obedience by you taken as aforesayd, haue diuerse wayes and in Diuerse kindes shewed your manifest dislike of the booke of Comon Prayer, and the orders, rights and Ceremonies p'scribed and comaunded to be vsed in the Church of England, as namely, you haue comonly refused and omitted to read Athanasius Creed, the pper Chapter appoynted for the day in the old testament, & the Letany, in the celebracon of Diuine service; you haue altogether refused, or at least purposely omitted, to weare the Surplice at the celebracon of Diuine Service and Sacram^{ts}, & you would suffer your Curat to weare it or at least you [had?] not advised or required him to weare it, for he neuer wore it aboue one Sabath day and two holy dayes since his cominge thither, wth was about two yeares since; you haue also refused or omitted to vse the Crosse in Baptisme and the exhortacon in Matrimony at the solempnisinge of mariadg, viz' wth my body J thes worship; and whereas you should diligently read diuine service vppon the holy dayes appoynted by the Church, and vppon Wednesdayes and Frydayes, you seldome read any at all on those dayes, neither haue you euer exhorted your pishoners to come diligently to Church on those dayes to heare diuine service, as holdinge it a matter indifferent whether they come or noe, and soe you are vnderstood by your pishoners et obmus et aflamur vt supra

3. Jtem, Wee afile and object that although you haue had particular notice from lawfull authority, about three or foure monthes since, of his Ma^{ties} Instrucccons touching Catechisinge and readinge of Diuine Service before your lecture, that you haue pformed neither, but omitted bothe to reade Divine Service and Catechise before your Lecture as by his Ma^{ties} Instrucccons as required. And these thinges, as alsoe all other your duties in the next precedent afile menconed, or most or many of them, you refuse to pforme out of a meere fond affectacon of singularity, because you would seeme to be more precise then other men, and in very truthes you doe affect the name of a Puritane, and concerninge your selfe, to be reputed one of them, you for your better grace haue, w^{thin} the tyme aforesayd, both openly in the Pulpette and otherwise amonge your priuate freindes, deliuered and affirmed that those that are called Puritanes are the chariotte & horsemen of Jsraell and those that stand in the gappe, and such a man you would make the world beleue you are, & to that purpose you spake it, and soe you were vnderstood by your auditory et obmus et aflamur vt supra.

4. Jtem, We afile and object vnto the sd M^r Charles Chauncey that, within the tyme aforesayd, you haue publicly in the Pulpett, and alsoe privately amongst your freindes, deliuered and affirmed that those wordes, at what tyme soeuer a synner doth repent him, &c., being the first verse in the booke of Comon Prayer, that there is noe such text in the whole bible, and that the people haue bene deluded; & these and this like speeches you haue deliuered thereby to bringe the booke of Comon Prayer and the Leyturgy of the Church into contempt amongst the People, et obmus et aflamur vt supra

5. Jtem, We afile and object that you haue and doe hold an vnconthe and straunge opinion that people ought not to pray at their first entringe into the Church, and, within the tyme aforesayd, by way of Justificacon

of that opinion, you haue openly, in the Pulpett & otherwise privately in the hearinge of diuers, affirmed that people ought not to pray at their first cominge into the Church but pately to fall into that pte of service w^{ch} they shall find the Congrega^{co}n in, w^{ch} hath bene an occasion that men and women there come rudely and vnreuerently into the Church, et obmus et a^{fl}amur vt supra.

6. Item, We a^{fl}e and object vnto you the sd Charles Chauncey that, in senerall sermons by you preached in Ware Church, within the tyme aforesayd, you haue constantly affirmed and mayntained, and soe doe mayntayne still, that the Saboath doth beginne every Saturday at sunnesett, whereby much strife, heartburning & dissention hath bene rayseed amongst the Inhabitants in Ware, being a Markett Towne, et obmus et a^{fl}amur vt supra.

7. Item, We a^{fl}e and object vnto you, the sd M^r Charles Chauncey, that within the tyme aforesayd, as well in your sermons as other priuate discourses, you haue much slighted and detracted from the power and authority of the Church, and haue both publiquely and priuately affirmed and sayd, that the Church hath power to appoynt dayes for fasts and prayers, but that they find not the conscience, but are indifferent, w^{ch} causeth many to worke on holy dayes openly, contrary to the lawes and Ca^{ns}ons of our Church, and pressing that matter a little further then sound Judgm^t in Diuinity or discretion would haue ledd you, you sayd that there be many thousand soules damned in hell for their gaminge and Revelling in xij dayes at Christmass tyme, and that the Damned in hell doe curse the birth of our Saviour Christ, and the Church for Institutinge the celebra^{co}n thereof, or you haue sayd like wordes in effect & substance, to the great admira^{co}n and astonishment of the hearers, et obmus et a^{fl}amur vt supra.

8. Item, We a^{fl}e and object vnto the sd Charles Chauncey, that as you haue most grosly and contemptuously neglected your duty, both to God and the Church wherein you liue, in many of the p^ticulars formerly in these a^{fl}es obtd against you, and that vnder a false p^tence of zeale and purity in Religion beyond y^r fellow Ministers in like manner as is sutable to the rest, you haue towardes some of your neighbours shewed your selfe a man voide of all charity or compassion, especially towardes one Edward Meedes of the Parish, who, havinge lyen lame & bedd rid these 2 yeares, and benge as it were a dying man, hath by his wife or some others dyverse tymes sent vnto you, or entreated you or your Curate, that you would take the paines to come vnto him and to administer the Sacram^t of the body and blood of Lord and Saviour Jesus Christ vnto him for his soules health, and that you would peure a convenient company to receaue wth him, you notwthstanding refused too doe to his great greife & discontent, et obmus et a^{fl}amur vt supra.

9. Item, Wee a^{fl}e and object vnto you, the sayd Charles Chaney, that you doe know and beleue that thursday is the ordinary market day at Ware, and that there is a great concourse of people vsually meet there that day, and that you haue made choise of that day for your Lecture day & that you preachinge y^r ordinary Lecture or Sermon there on thursday the 14th of January last past, or on the Sunday following, or thereabouts, terrified the people and Jnsinuated to them as if there

was some kind of alteracōn of Religion to be brought in, and publicly deliuered in your sayd sermon that Jdolatry was admitted into the Church, and that not only the pphetts of Baall but Baall himselfe is receaued, and houses multiplyed for the entertayninge of them, et obmus et aīlamur vt supra

10. Jtem, We aīle and object vnto you, the sayd Charles Chauncey, that in the same lecture by you holden or preached on the fourth of January last past, or on the Sunday following, or thereabouts, you openly published and deliuered to your auditory out of the Pulpett, being Market day and a great concourse of people p'sent, that there was a great army, a great fleet and a great many of flatt bottome boates p'pared in France for the Invadinge of this kingdome, and wthall sayd that the p'aching of the Gospell would be suppressed, and that some Familyes are p'paringe to goe for New England, w^{ch} speeches of yours caused a great distracōn & feare amongst the people, as making them beleue that there would forthwith ensue some alteracōn of Religion, et obmus et aīlamur vt supra.

11. Jtem, We aīle and object vnto the sd Charles Chauncey that diuers tymes, or at least once since you came to be vicar of Ware, you haue sayd openly in the Pulpett that there wanted men of spirit & courage to tell the supiours in the Church of their neglect, for that there neuer [? was] soe much Atheisme, Popery, Arminianisme & Heresy in our Church as at this tyme, and that heresydes are not onely broached but mayntayned, and this you deliuered publicly to your auditory to the great and publique scandall of the whole Church of England, and the governours thereof, et obmus et aīlamur vt supra.

12. Jtem, We aīle and object vnto you the sayd Charles Chauncey that, as well in some one of your publique sermons as otherwise in priuate to y^r freinds and acquayntances, you haue tearmed some of our moderne writers some of them rotten divines, and some other pott ministers, and that in great scorne and contempt.

13. Jtem, We aīle and object vnto you the sayd Charles Chauncey that you doe know & beleue, that Humphry Parker, Jsaack Heath, Edward Browne & Robert Hellam were Church wardens or Sidesmen of Ware for the most parte euer since y^e cominge to be Vicar there, and you haue dealt wth them, or some or one of them, that they should not p'sent you or your Curate for any of y^r omissions, inconformities or excesses aforesaid to y^e Ordinary, or his Archdeacon, or any other Judge Ecclicall, but to suffer you to passe from tyme to tyme vn-p'sented & vnquestioned, w^{ch} connivency of theirs hath bene the meanes that you haue runne into these extravagancies and indeed you haue soe tyed them vnto you, or rather ouerborne them that they dare not p'sent you, w^{ch} being made knowne to your ordinary he hath desired this assistance of vs his Mäties Cōmissioñs for y^e reformaōn & punishm^t, et obmus et aīlamur vt supra

14. Jtem, quod p'missa ñia et singula fuerunt et sunt vera pūbca notoria & manifesta et quod de et sup p'missa laboraſunt et in p'senti laborant pūbca vox et fama

Exm̃tur

T. MOTTESHED.

[Indorsed:] 10^o Aprilis 1630

Ar^{ti} con CAROLU CHAUNCEY clici.

State Papers, Car. I. (Domestic), Vol. 210, No. 41.

[*Mr. Collins to Dr. Ducke about conformity.*]

HON^{BLE} SIR, — The vnexpected message w^{ch} you sent mee from my Lord of London hath renewed my Disease of the Collicke & stone, lately growne vpon mee, wth grieffe for the waywardnes of some of my people, so that J am for the present vnfit for trauaile. My Lords displeasure pierces deepe into mee, not so much in regard of his power over mee (as he is my Diocesan) as in regard of his fatherly love towards mee & honorable care of mee, for w^{ch} J conceived his Lor^{sh} to be the best friend J have in this world. The complainte w^{ch} hath provoked him, J wittingly & willingly occasioned to reforme the Error of sundry in my towne, who would not be pswaied but that it still lay in mee to procure them a tolleration of their wonted inconformity w^{ch} J laboured to drawe them from. J tooke order that yo^r wor^{sh} should vnderstand so much & did not think J should insnare my selfe therby, but J see that thers Treason in Trust. But J attayned thereby in some measure my end, & since the last Courte have gone on by degrees to the practise of Conformity & have prevailed much wth some of my people.

Jts no easy-matter to reduce a numerous congregation into order that hath bin disorderly these 50 yeares, & that for these 7 yeares last past hath bin encouraged in that way by all the refractory ministers in the Country wth whome they have had acquaintance & their private meetings & conference, who have lefte divers schismaticall books amonge them, & during theyre Continewance heere, laboured to make my pson & ministry contemptible & odious, because J would not hold correspondence wth them.

Jf J had suddenly & hastily fallen vpō the stricte practise of conformity J had vndone my self & broken the towne to peeces. For vpō the first notice of alteration many were resolving to goe to new England, others to remoove elsewhere, by whose dep^ture the burthen of the poore & charges of the towne had growne vnsupportable to those [? who] should have stayed behind. By my moderate & slow proceeding I have made stay of some & do hope to settle their judgments & abode wth vs, when the rest that are inexorable are shipt & gone.

Mr Hawkins, who if neede be will make faith of that J have written, hath bin acquainted wth all my proceedings, who is my principall assistant in the Government of this Towne & for that cause vndergoes a great burthen of envy & opposition together with mee. My Lord of London needs not imploied the ayde of the Arme of the high Comission to rule mee, the least finger of his owne hand shall suffice. Jf what J have sayd & done will not satisfy J submitt to his hono^r censure. Jn the meane time J am vnder no smale burthen that am subject to his Lor^{sh} censure above, & here beneath to the hatred and obstreperous clamours of the people in towne & Country Jt maks mee add often a new prayer to my Letany, From this people good Lord deliver mee, & J hope my Lord of London do it care longe, however for the present

hee seeme offended. J write in payne, but if any payne will breede my peace J shall be glad, and wilbe abundantly thankfull to yo^r wor^{sh} for being an instrument thereof. J know his Lord^{sh} aymes att reformation, and not at the destruction of my self and my towne. If that be wrought, att last his Lord^{sh} will itt, sat cito si sat bene. I haue never thought that government so sure vi quod fit, quam id quod amicitia adjungitur. Jf J may neither prevayle for remission of his Lor^{sh} present intention, nor for remoovall from hence in convenient tyme, J hope J shall eare long be att rest wth the greite B^{sh} of our soules, to whose protection J comitt yo^r wor^{sh} and doe euer pray, and shall (while J liue) for the prosperity of my Lord and yo^r wor^{sh}. And soe rest

Att yo^r wor^{sh} service

SA: COLLINS

Jan: 18. 1631.

Jf any thing have fallen from my pen through the distemper of my body and distraction of my mind y^t may be offensive, J humbly craue a favourable construction therof, and that it may be concealed from my Lord.

[Addressed:] To the right wop^l Dr Ducke att his Chamber
in the Doctors Comons be these dd

[Indorsed by Bp. Laud:] Janua: 18. 1631. M^r Collins his Letters
about conformitye.

S. P. (Dom.) Car. I. Vol. 237, No. 48.

[*Stephen Goffe to Mr. Missleden.*]

S^r, — J was sorry J could not come vnto you, before o^r going to the Rendezvous, that J might giue you an accompt of my Journey to Amsterdam; and because J haue discovered something w^{ch} may concerne you in your worthy prosecution of our Churches Cause, J tooke hold of the first place of sitting still, w^{ch} was not till we came to Weazell. Your troublesome Minister hath bene as troublesome to men of his owne humor as vnto you and others; for M^r Pagett complaines exceedingly of him, that he is of a most vsurping and Jmperious disposition, laboring for nothing soe much as his owne preheminece. And that he hath had much to doe to keepe himselfe from the English Classis, that is indeed nothing else but M^r Forbes his superintendency. But M^r Paget saith he hath first gott an Act from the Amsterdam Classis, then from the North-Synod, then from their Classis of Vtricht vpon certeine Reasons w^{ch} he putt in against the English Classis. That in their opinions it is not safe for the Dutch Churches to permitt the English to haue a Classis. The reasons giuen in and registred are many, this one, because the Men who sue for a Classis are such who haue schismaticall selfe opinions wherein they differ both from the Church of England and the Dutch and all other Reformed Churches. The reasons and the Acts of the Synods shalbe brought forth and præted to the States if M^r Forbess proceed, as he doth, to renew his Classis against his Ma^{ty} Comand. From that reason of the selfe opinions of our discontented Ministers coming hether, sprang those Interrogatories w^{ch} you haue read M^r Paget examined M^r Hooker vpon, wherein M^r Hooker hath plainly shewed that he thinkes no

Church as yet knowes Christs mind, but he knowes it alone. And those resolutions of M^r Hooker were by M^r Pagett presented to the Classis and Synod of Amsterdam, who presently sent a peremptory Comānd to M^r Pagets Elders that they should not chuse M^r Hooker into that Congregation, for that a man holding his opinions could not be a member of theire Church. You may see how little cause our Puritans haue to complaine of the proceedings of our Church since they are Creatures that can liue nowhere. Yet M^r Forbes thinkes he must gouerne in this too, and sō first in Speach himselfe, then by a fre hath expostulated with the Ministers and Classis of Amsterdam for their Censure of M^r Hooker, but he hath bene grauely and justly chid and rebuked by fre from the whole Classis, written by Iacobus Laurentius, then President, for his meddling in thinges w^{ch} concerne him not, and likewise with this very expression that though he complaine against the Bps of England, yet that himselfe hath more then an Episcopall Spirit. This fre is vpon Register too. And when need shalbe, J doubt not but for yo^r and our better proceeding it shalbe shewed the States that they may see what dangerous spiritts they be that creepe vnto them for succour against theire King and Country. Since my coming hether to Weazell, J haue found a most admirable story, the very same controuersy that you and J haue now, for the prayers and rites of o^r Church was heere in this Towne in Queene Marye's dayes, betwixt the Inhabitants heere and our English that fledd hether. And J haue gotten out of theire Towne Register a Copy of the petition our Countrymen made for the libty of theire owne prayers, and how, vpon a fre Melancton sent them, the Towne did grant them a Congregation to themselves and the full vse of their owne Rites. The fre J read in Melancton's owne hand and the Copy J haue. This is all the newes J haue to tell you, for what the Prince will doe J cannot certainly know, because o^r men are still a shipboard, but it is thought Rheneberg shalbe besieged And so farewell

Your true friend to serue you

STEPHEN GOFFE.

WEASELL May: 6th stil: nou:

If you write to me send yo^r fres to Lieutenant Smith at Weazell.

[Indorsed:] 6 May 1633.

M^r Goffe to M^r Missleden
from Weazell.

S. P. (Dom.) Car. I. Vol. 260, No. 13.

[*Extract. Letter written by Stephen Goffe, dated Leyden, Feb. 1633-4, addressed "to my worthy & assured freind M^r Gilbert Sheldon, Chapleine to the right houb^e Lord Coventry Lord Keeper of the Great Seale of England at Durham house."*]

"J long to heare frō you concerning M^r Dampont, about whō Vossius hath seriously & to good purpose bestirred himselfe, for Dampont having yealded to the Dutch Classis wholly (w^{ch} was Hookers rubb) yet Vossius hath stopped his election with the Magistrates vpon those points. That he came away out of England, not being questioned for church discipline, but was plainly desertor Ecclesie w^{ch} is even con-

trary to their owne rule here. And then that since his comming hith^r he hath discovered of w^t spirit he was, by p^raching against the Civill government here, in permission of the Remonstrants to preach, w^{ch} we condemned to be a most wicked & vngodly thing. Vpon these tearmes the Election is at a stand. The Dutch classis labor to loose this last knott, because it is according to their tooth to inveigh against the government, & his frends the Marcheants labour to vndoe the first, in sending into England for lett[er]s dismissory frō his parish, w^{ch} J heare certainly they have done. But if some relāon frō a man whō Vossius may name (or rath^r frō o^r Agent) might be dispatched hith^r w^{ch} may discour^t his mann^r of forsaking His King & church & his obnoxiousnes vnto the king for oth^r matt's, & y^t he was not p^ticularly questioned for church discipline, then J doubt not but we shalbe delivered frō this plague too, & He will make for New England, wheth^r M^r Cotton & his sone borne a shipbord & sō caled Sea-borne, & M^r Hooker are safely arrived (as they say here) by speciall extraordinary p^rsporous winds."

S. P. (Dom.) Car. I. Vol. 278, No. 65.

Extracts from "The personal Answeres of Samuell Ward, clerke, Batchelor in Divinity, of the towne of Ipsw^{ch} in the County of Suffolke made by vertue of his Corporall oath to the Ayles obted against him by his Ma^{ties} Comission^s for causes Ecclicall."

"To the 38th Ayle he answereth and beleueeth that p^rachinge in S^t Mary Tower Church, at or about the tyme aflate, vpon some cases putt vnto him by some of those that affected to goe beyond the seas into Newe England, and vpon some misreports made of this exa^{nt}, sayd he was not of Tertullians rigide opinion but of our late learned Arch B^ps milder Judgment concerninge the lawfullnes of flight in persecucōn, yet rather comended such as stayd in their native Country and mother Church, w^{ch} he thought and sayd to bee the most flourishinge nationall Kingdome and Church in the world, not knowing what God would encline and enable himselfe to doe in case of triall, if any such should happen, or vsed words to that effect. Et ali non credit aflu esse veru in aliquo.

"To the 39th Ayle he answereth that, at or about the tyme aflate, this exi^{nt}at in a sermon by him p^rached in the place aflate expressly sayd he was not of soe melancholly a spiritt, nor looked through soe blacke spectacles as he that wrote that Religion stands on the Tip-toe in this land, lookeinge Westwards, nor feared their feare that feared an imminent departure of the Gospell. Et ali non credit aflu esse verum in aliquo.

"To the 40th and 41th Ayles he answereth and beleueeth that, haueinge heard a report in the towne of Ipsw^{ch}, scattered by the Newe Englanders and others that six or seuen Ministers in Glocestershire and Xij or Xiiij Ministers in the dioces of Winchester and some others in other shires were suspended, he sayd that if six or seuen lights in one place and 12 or 14 in another were like to bee eclipsed, as some there p^rsent reported, it might be a signe of Gods displeasure, be the cause there of their owne error or Ceremonies or what it will be. Et ali non credit aflu esse veru in aliquo."

OCTOBER MEETING, 1874.

A stated meeting was held on Thursday, the 8th instant, at eleven o'clock A.M.; the Hon. CHARLES FRANCIS ADAMS, Vice-President, in the chair.

The Recording Secretary read the record of the preceding meeting.

The Librarian read the list of donors to the Library for the past month.

The Corresponding Secretary read letters of acceptance from Count de Rochambeau, of Paris, and from Sir Bernard Burke, of Dublin, who had been elected Corresponding Members.

Dr. ELLIS called attention to the inadequate subscription for publishing the Sewall Diary, and inquired if those MSS., when prepared for publication, could not be published as parts of the Society's Collections, and from the funds of the Society which are provided for that purpose.

After some discussion of the subject, it was, on motion of Dr. Robbins, —

Voted, that the Committee on the Sewall Papers be requested to prepare those MSS. for the press; and that, as regards their publication, they be placed on the same footing as the volumes of Collections to be prepared by the several committees who each have now a volume in charge.

Mr. Delano A. Goddard was elected a Resident Member.

Mr. ADAMS then said: —

At the last monthly meeting of the Society, on the strength of a telegraphic report from Paris, I ventured to call your attention to the loss we had sustained of one of our most distinguished Honorary Members, M. François Pierre Guillaume Guizot. Although that report proved not to be correct at the moment, later information shows that it only anticipated by a few hours a result then known to be inevitable.

It is no part of my intention to enlarge upon the qualities of this gentleman, or his accomplishments, whether as an author, an orator, a diplomatist, or a statesman. In his long career he attained great distinction in each capacity, and that without many of the advantages which commonly contribute to elevate a person thus high in his own country. Not belonging to the dominant church, he yet succeeded, by the calm and philosophical spirit of his writings, in removing prejudices and enlisting the confidence even of those with whom he could not agree. Hence he has left behind him many valuable speculations on historical and political questions, which placed him in

his lifetime in the very first rank of the public men of France. I need not add, that among his studies was a careful one made on the life of our greatest leader of all, — George Washington, — which clearly shows the effect produced by it on his own mind and character. The fact that he was ultimately unfortunate in his political career does not of itself prove any thing against him in a country noted for the suddenness of its revolutions. Time will probably supply the means of ascertaining how far he can be made justly responsible for the events which overturned the government of Louis Philippe, whom he faithfully served. It is enough to know that from that day to this — a period of more than a quarter of a century — he has continued to live a private citizen in the heart of the most tumultuous community of the age, enjoying the respect and esteem of all the various classes about him, — a lot which has not always fallen to those associated with the prominent political action of their own times in France.

Passing from this, I regret to be called upon to bring to your notice the decease of one of our own immediate members since the last meeting. Singularly enough, it has lately happened twice to us to meet with the misfortune of losing distinguished members almost immediately after their election. It was so with Mr. Sumner. It is so at this moment in the case of Mr. Benjamin Robbins Curtis. His brilliant career as a jurist is too generally recognized to require that I should enlarge upon it. There are, doubtless, also some of our own body who are both ready and willing to contribute, from their better knowledge of it, to the illustration of his life and character. I close these remarks by submitting to the Society the following Resolutions from the Council:—

Resolved, That in the death of the Hon. BENJAMIN ROBBINS CURTIS the community has lost an eminent citizen, the bar of the country a distinguished jurist, and this Society one of its most respected members.

Resolved, That the President be requested to nominate one of our members to prepare a Memoir of Mr. Curtis for the Proceedings of the Society.

And the Rev. Chandler Robbins, D.D., was appointed to write the Memoir of Judge Curtis for the Society's Proceedings.

The Chairman now called upon the Hon. RICHARD H. DANA, Jr., who gave an interesting analysis of the great powers of Mr. Curtis as a jurist and as a man. He was followed by the Rev. CHANDLER ROBBINS, D.D., a classmate of the deceased, who said:—

I have been invited by the Council of the Society to say a few words in commemoration of our late honored associate. My respect and love for him will not suffer me to forego the privilege thus accorded of paying a brief but heartfelt tribute to his memory.

A friendship which began almost fifty years ago, and which not only continued uninterrupted to the day of his death, but grew more intimate and confidential towards the last, while it gave me frequent opportunities to look into his heart, and to estimate his motives, enables me to speak of him with the utmost confidence in reference to those qualities and that department of his life to which I shall confine my remarks.

It devolves upon others—like our learned associate, to whose just and eloquent words we have been listening—to trace his professional career, to describe his traits as an advocate and a judge, to tell us how thorough was his legal knowledge, how sound his judgment, how clear and close his reasoning, how weighty his opinions; to analyze his mental constitution and show what were the secrets of his rare success. And the whole country is already acquainted with the main features and principal events of his public career. It is only in those aspects and relations in which I have personally known him so long and well that it becomes me to speak of him.

In the year 1825 we entered Harvard College together. It was very soon made evident that Curtis was to be one of the marked men of the class. There were visible to our young eyes, even upon his person, signs of mental and moral superiority, which, though we could not have described, we could not mistake. He was even then "every inch a man,"—and just the same man, only of smaller growth, that has commanded public respect in later years. He was remarkable, even then, for a certain intellectual massiveness; for the clearness, force, and steadiness of the workings of his mind; for his strength of will; for independence and truth; for his mastery of every subject and every work to which he applied his powers; for his self-possession; for his entire freedom from all youthful foibles and all selfish passions; and for a certain calmness, gravity, and sometimes even coldness of manner, which covered, only to superficial observers, a warm temper, an aspiring spirit, an earnest purpose and strong and even tender affections.

He was one of the best scholars, best writers, and best speakers of the class, and perfectly honorable and above reproach in character and conduct. The Faculty respected him;

his classmates were proud of him. A popularity earned by merit, not purchased by blandishments, caused him to be selected as the orator of the class.

Having graduated with high honors, he entered upon the study of his profession in one of the higher schools attached to the University, while some of his classmates were connected with another. I well remember that, among his fellow-students and instructors *there*, he secured the same respect which he had already won in the College. The saying of Mr. Justice Story, then at the head of the Law School, — which some of you may have heard, — did not surprise us in the least at the time it was uttered: "I should like to live long enough to see with my own eyes what eminence my pupils, Curtis and Sumner, will attain."

Our intercourse, which by reason of his devotion to his professional duties and long absences from Boston, had been less frequent during the middle period of his life, became, as I have said, more confidential towards its close; and, while my respect was not diminished, my affection and sympathy continually increased. I saw that the experience and discipline of life — as is the case with all wise men — had mellowed and enriched his heart and deepened his religious sentiments. The warmer, gentler, lovelier qualities of his nature, were constantly gaining the ascendancy, and adding new charms to his domestic and social life. The last conversations he held with me were upon the most sacred themes, — providence and prayer, and the divine character and teachings of Christ. In all the precious doctrines of the Christian creed he declared his unquestioning belief. He spoke with tearful emotion of his personal obligation to the Son of God for light and comfort, and the assurance of immortality. "I count his Word," he said, "a sure and sufficient authority. I know it can never be controverted." These words were upon his lips as, after a short walk, we shook hands for the last time, just before he removed to Newport for the summer. They imprinted themselves upon my memory. They proved that he had attained to the best result of life. They crown and consecrate his image in my heart.

The Resolutions were unanimously adopted.

The Recording Secretary read the following letters from the President, in which reference is made to the death of our associate, Mr. B. R. Curtis, and to that of M. Guizot, an Honorary Member. His unavoidable detention in Europe beyond the time contemplated for his return, owing to the continued illness

of a member of his family, is also announced in one of the letters :—

MILAN, 15 September, 1874.

DEAR MR. DEANE, —I begin another letter here, though where I shall end it remains to be seen. Yours of the 18th ult. was most welcome, as assuring me of your having received my various July letters. I trust that those of August may have reached you also, and particularly that about the portrait of Washington. . . . We came over the Simplon to Lago Maggiore, and then here to rest. We go back to Como to-day, and over the Splügen before Sunday, and then rest again before keeping along to Paris. Yesterday I spent an hour or so in the Ambrosian Library, where, besides a palimpsest of one of Cicero's Orations, and the rare copy of "Boccace," the librarian showed me what he insisted on was an absolutely unique copy of the first letter of Columbus, — on parchment, I think. He spoke of our friend Lenox, and of John Carter Brown, of whose death he had not heard. I afterwards ran down by rail to Pavia, and saw the outside of the University at which Columbus was educated; and, of course, visited the marvellous Monastery of Certosa, said to be the most splendid ecclesiastical edifice of that sort in the world. The church and chapels were magnificently adorned with every thing which gold and silver, and precious stones, and marble and ivory, and painting and sculpture, could supply. By the bye, while at Stuttgart, ten days ago, I visited the Library, and thought of good George Livermore, as I looked at the *ten thousand* Bibles, in one of which I saw Martin Luther's writing. I inquired whether they had John Eliot's Indian Bible among them, but the servitor knew nothing about it. It may be there notwithstanding, and, certainly, ought to be. I did not fall in with the responsible librarian, who would have been able to tell me. . . . The most important thing I have done here is to come at last, and most reluctantly, to a decision that I cannot be at home this winter. It is a grief to me on many accounts, and I have hoped against hope as long as I could. . . .

I am sorry to miss the Annual Meeting of the Peabody Trustees; sorry to miss my Provident Association and my relations to the poor; and sorry to be obliged to decline the centennial distinctions of our Revolutionary anniversaries. But not less than any, or all these, I lament my separation from our Society for so long a period. On this point I shall add more either in this letter or my next. . . .

Cadenabbia, on Lake Como, 16th Sept. — We came here last evening, and go along to-morrow. We are at a lovely point of the lake, opposite to Bellagio, the long line of whose lamps on the shores last night gave me a reminiscence of our Milkdam or Beacon Street range, and made me wish that I was just passing them on my way to Brookline. A little, and more than a little, "home-sickness" steals over me, even amid the most beautiful scenes of Europe.

Since reaching here, I have observed the announcement of the death of M. Guizot, at eighty-seven. Few more remarkable statesmen or men of letters have died in our day. He worked to the last with

wonderful vigor. Among the very latest things which I read before leaving home were some of the early chapters of his recent History of France. It was undertaken for his grandchildren, I believe, and was originally designed as a child's history. But all that I read was elaborate and eloquent, replete with brilliant illustrations and profound philosophical thought. He sent us, you remember, a set of his works, so far as then collected, when we made him one of our Honorary Members, twenty years ago. But none of them will be so memorable as this last production of his old age. His little Memoir of Washington, which our friend Hillard translated so finely for the American press, commended him specially to the regard and respect of Americans. A portrait of him was in the National Gallery in Washington, while I was in public service there, which, if I remember right, was ordered by Congress. At any rate, it belonged to the nation. When I was in Europe, fifteen or sixteen years ago, Everett gave me a note of introduction to him; and I had more than one delightful interview with him. Mr. Ticknor, as well as Mr. Everett, was intimate with him. Standing, as he did, at the head of our honorary roll, his death will, doubtless, be noticed at our October meeting, and I would gladly have paid my little tribute to the many great elements of his career and character. I observe that he requested that no invitations should be issued for his funeral, and no eulogies pronounced at his grave. He lived and died an earnest Protestant, and was associated prominently with the cause of circulating the Bible and promoting religious and charitable institutions in France.

I had intended writing on other topics, but my paper is filled up, and I leave every thing else to another time. Remember me to Hillard, and tell him I have thought much of the Class of 1828, since hearing of the death of our friend, Francis C. Loring, for whom I had a warm regard.

Yours sincerely,

ROBERT C. WINTHROP.

C. DEANE, Esq.

LUCERNE, SWITZERLAND, 22 September, 1874.

DEAR MR. DEANE, — The enclosed note from Mr. Vernon Heath* is very satisfactory, and should be filed among the "muniments" of

43 PICCADILLY, 15th September, 1874.

* DEAR SIR, — I have been away from London for some time, but I left, previous to my going, all the necessary instructions about the Washington picture. We had some trouble about the frame, but in the end succeeded in making one which is an absolute *fac-simile* of the original, and all is now ready; and the picture, in its case, will leave for America to-night.

When I have the whole of the charges, I will write to you.

All I can now say is, that now that the picture is finished complete, it really looks so like the original that I constantly feel that it is the original that is before me.

In a year, but not in less time, it will need varnishing; but it will be so much to the advantage of the picture if the varnishing is delayed till then.

I am, dear Sir,

Yours truly,

VERNON HEATH.

ROBT. C. WINTHROP, Esq.

our copy of the portrait of Washington. You will observe what he says about the *varnishing*. Let the attention of our Committee be called to this passage. I trust the portrait will now be forthcoming almost as soon as this letter.

At a little inn, last Friday, when I was half-way over the Splügen Pass, I found a "London Times," of a day or two only previous, and, among the telegrams from the United States, the death of our associate, Judge Curtis, was announced. As a lawyer, he has hardly left his peer in our whole country. He was an excellent man, too, — whom we can ill afford to lose, either from the circle of private friendship, or of public counsel. The death of such a man — so ripe, so practised, so accomplished — is a great calamity. I know not where we are to find the men to fill the places in our community, to say nothing of our Society, which are being vacated so rapidly.

I write in haste, and in the hope that the enclosed note of Mr. Heath may be in season for the arrival of the portrait.

Yours ever sincerely,

ROBERT C. WINTHROP.

CHAS. DEANE, Esq.

The Secretary also communicated the following paper from the pen of a Corresponding Member, Richard Henry Major, F.S.A., which is explained in a letter previously received from Mr. Winthrop, dated Wildbad, Würtemberg, 22 August, 1874. "While I was in London," he says, "I spent an hour or two — as I believe I have already told you — at the British Museum, in conversation with our Corresponding Member, Mr. Major, on the subject of his recent researches into the *pre-historic* voyages to America (if I may so speak). I assured him that our Society would be most glad to have a communication from him, giving a little *résumé* of the results at which he had arrived. Since I wrote you last I have received an interesting paper from him, 'On the Voyages of the Venetian Brothers Zeno to the Northern Seas, in the Fourteenth Century.' I have read it cursorily, and have, fortunately, found a private hand for sending it across the Atlantic. It will reach you safely, I trust, about a month hence, — certainly in time for our October meeting." A note from Mr. Major to Mr. Winthrop, dated British Museum, August 6, 1874, accompanied the above letter, in which Mr. Major says: "Herewith I have the pleasure to send you the fulfilment of your request, and of my promise."

*On the Voyages of the Venetian Brothers Zeno, to the Northern Seas,
in the Fourteenth Century.*

By R. H. MAJOR, F.S.A.

IN this utilitarian age, it may, at first sight, appear to some that the geography transmitted to us from ages long gone by is of no further use than to amuse the leisure moments of a *dilettante*; and, if it could be shown that all the valuable researches of the past had been duly recognized and incorporated into the geography of to-day, such a supposition would be perfectly correct. It has, however, fallen to my own lot, amongst others, to give some practical proofs that such is not the case. By means of research, of analysis, comparison, and digestion, we have gained a knowledge, in these later days, of startling facts which held no place whatever in the minds or in the current literature of our immediate forefathers.

It is only recently that I have laid before the world the fact, that three hundred years ago the two great equatorial lakes, Victoria Nyanza and Albert Nyanza, with their probable southern feeder, Lake Tanganyika, made known to us in recent years by our noble explorers, Burton and Speke and Grant and Sir Samuel Baker, were already laid down on a map from information gathered by a Portuguese during nine months' residence in Congo.

It is only recently that it has been shown that the east and west coasts of Australia were discovered and laid down on maps about the middle of the reign of Henry the VIII.; and it is only within the last two years that I have been able to show that those discoveries were, to all appearance, made by the men of Provence.

I might add the remarkable fact that, in the account published by the Hakluyt Society of Drake's circumnavigation of the world in 1578, in which he discovered California, and named it Nova Albion, we meet with these very notable words: "There is no part of earth here to be taken up, wherein there is not some special likelihood of gold or silver;" and yet, as we know, the great discovery of gold in California, of which these words ought to have been the harbinger, was not made till 1848,—two hundred and seventy years later.

It is only comparatively recently that any satisfactory light has been thrown upon the colonization of America by northmen as far back as the very commencement of the present millennium; and it is only within the last twelvemonth that I have been able to demonstrate, in a volume which I edited for the Hakluyt Society, that, so late as a hundred years before Columbus crossed the Atlantic, the survivors of those colonists still existed in America, and were in the habit of importing from Greenland furs and brimstone and pitch, and, moreover, that a Venetian at that early period was in a position to send home a report of these facts to his fellow-citizens in Venice. It is upon this subject, so interesting to all Americans, that I propose now to say a few words. It is a subject which would have been matter of world-

CARTA DA NAVEGAR DE NICOLO ET ANTONIO ZENI FV



TANA







wide notoriety long ago, had it not been surrounded by a host of complications and difficulties which have baffled both friends and foes alike, and led the learned John Pinkerton, in his "History of Scotland," to say that "the book was one of the most puzzling in the whole circle of literature." Every one of its puzzles has now been solved; but, as the details of the solution occupy a hundred pages of introduction to my Hakluyt volume, it is obvious that those details must be here omitted, and I must content myself with giving an abstract of the narrative, the grounds of disbelief in it, and a general statement of my own arguments on the other side.

The story, in brief, is as follows:—

Towards the close of the fourteenth century Niccolò Zeno, a member of one of the noblest and most ancient families in Venice, went, at his own expense, on a voyage, rather of curiosity than discovery, into the northern seas. For a long series of years before his time the Flanders voyage from Venice had been a matter of almost annual occurrence, but chance gave to this voyage a very peculiar interest. Niccolò Zeno was wrecked on what he describes as the Island of Frislanda (which, not only by the correspondence of names, but also by a route described in the narrative, I have been able to prove to be the Faroe group); and he and his companions were rescued from the wreckers by the chief of a neighbouring principality, named Zichmni, who happened to be there, and into whose service he entered in the capacity of pilot of his fleet. After remaining with this chieftain some time, during which is recorded the conquest of Frislanda by Zichmni, Niccolò Zeno wrote home to his brother Antonio, inviting him to join him, which he did. Niccolò survived his brother's arrival four years, and died in Frislanda. Antonio remained ten years more in the service of Zichmni, and then returned to Venice, where he died. It is from the above-mentioned letter of Niccolò to Antonio, and subsequent letters from Antonio to a third brother, Carlo (a very distinguished man in Venetian history), that the narrative of the movements of the two brothers is derived. After Antonio's arrival, the two brothers accompanied Zichmni in a victorious attack on what can be clearly shown to be the Shetland group, although named Eslanda. The narrative, however, fortunately treats at greater length on two much more important subjects; viz., a visit by Niccolò Zeno to Greenland, which he calls Engroneland, and the observations of some fishermen in two parts of North America, called respectively Estotiland and Drogio, showing the existence at that period, more than a century before the time of Columbus, of the remains of those old Scandinavian colonists mentioned by Adam of Bremen in the eleventh, and Ordericus Vitalis, in the twelfth century, and about whom we have learned so much in the present century from the Danish antiquaries C. C. Rafn and others. The whole story had been written out by Antonio Zeno; but a descendant of his, named Niccolò Zeno, born in 1515, when a boy, not knowing the value of these papers, tore them up; but, some of the letters surviving, he was able from them subsequently to compile the narrative and publish it, as we now have it, in the year 1558. He found also in the palace a

map, rotten with age, illustrative of the voyages. Of this he made a copy, unluckily supplying, from his own reading of the narrative, what he thought was requisite for its illustration. As, however, in almost every case where a locality was mentioned in the text, he read it mistakenly and transported his own misapprehensions to the face of the map, it is clear that he introduced into a publication difficult of comprehension from its remote date and other causes a fertile source of fresh difficulties and complications. The reader will be prepared to suppose that, in geographical descriptions or delineations of the fourteenth century, we ought not to look for such severe accuracy as might be expected in the geography of to-day. But if, in addition to this defect, we have the names of persons and places spelled, not in their normal fashion, but as a Southerner would write them down after receiving them by the ear from the tongues of Northmen, it is obvious that the sources of error and misconception become reduplicated; but if, in addition to all these, exaggeration of the most preposterous kind has been employed in the original description of the events, we have a most serious additional cause of misconception and perplexity. Till now, these respective facts, which are all exhibited in the Zeno narrative, have been undetected; and so mischievous have they been to the credit of the story that it has been pronounced a tissue of fiction, and, even so late as last year, the learned Professor Conrad Maurer declared it to be a compilation by Niccolò Zeno, junior, who edited it in 1558. In the detection of these various realities, I had made a considerable advance towards the perception of the truth with respect to this venerable and important old document; but I might never have succeeded, had it not been that Johann Reinhold Forster, the distinguished companion of Captain Cook, had already, in 1784, made the valuable suggestion that "Zichmni" was the Southerner's mode of writing "Sinclair;" Henry Sinclair being at the time in question Earl of Orkney and Caithness, and every circumstance, geographical, political, and historical, which close critical observation and research have enabled me to develop out of the story, has shown beyond all doubt that he was right. I need only mention one very curious fact which I lighted on in the "Orcades" of Torfeus, which sets at rest three different perplexities at one stroke. In the Zeno narrative, we have the following exaggerated statement: "With much warlike preparation they went out to attack Estlanda [Shetland], which lies off the coast between Frislanda and Norway: here they did much damage, but, hearing that the king of Norway was coming against them with a great fleet to draw them off from this attack, they departed under such a terrible gale of wind that they were driven upon certain shoals, and a good many of their ships were wrecked. The king of Norway's fleet, being caught in the same storm, was utterly wrecked and lost in these seas. When Zichmni received tidings of this from one of the enemy's ships that was driven by chance upon Grislanda, he repaired his fleet, and, perceiving that the Shetlands lay not far off to the northward, determined to make an attack upon Islanda [or Shetland], which together with the rest, was subject to the king of Norway. Here,

however, he found the country so well fortified and defended that his fleet, being but small and very ill-appointed both with weapons and men, he was fain to give up that enterprise without effecting any thing, but removed his attack to the other islands in those channels which are called *Islande* [or the Shetlands], which are seven in number; viz., Talas, Broas, Iscant, Trans, Inimant, Dambere, and Bres; and, having taken them all, he built a fort in Bres, where he left *Messire Niccolò* with some small vessels and men and stores."

Now we can scarcely suppose the king of Norway to have acted in person in such a movement as that above described, or that his whole fleet was wrecked, and yet so notable an event be unrecorded in history. Nor is it easy to believe that Sinclair was really in arms against the king of Norway, from whom, as we shall presently see, he held his earldom. But, as elsewhere in the story in the description of a victorious progress by *Zichmni* through the Faroe Islands, we have an example of the most preposterous exaggeration, so we may assume that that use of hyperbole so common amongst southern nations has been resorted to here. Now what are the facts? Henry Sinclair's earldom had come into the family by the marriage of his father, Sir William Sinclair of Roslyn, with Isabelle, daughter and coheir of Malise, Earl of Strathern, Caithness, and Orkney. The last Scandinavian Jarl was Magnus, the father of Malise's first wife. In 1379, Henry Sinclair received from the king of Norway the recognition of his claim to the earldom, but his investiture was burdened with severe conditions. In the "*Orcades*" of Torfæus, pp. 174-177, we have Sinclair's own declaration of fealty to the king of Norway, in which his pledges to keep these conditions are fully detailed. But in that document occurs the following passage: "We also promise that, since we have been already promoted by our lord the king to the earldom and lordship aforesaid, our cousin Malise Sperre must cease from his claim, and altogether lay aside his very claim itself to the said lands and islands, so that our lord the king, his heirs and successors, shall endure no vexation or annoyance from him or his heirs." Then on page 178 of Torfæus occurs the following entry: "In the year 1391, the Earl of Orkney slew Malise Sperre in Shetland, with seven others." Now that Estlanda, the scene of the conflict in the Zeno narrative, is Shetland, there can be no doubt, from its position between Frislanda (the Faroe Islands) and Norway, and Shetland formed part of Sinclair's earldom disputed by Malise Sperre, his Norse cousin. Can there then be any doubt that, in the incident recorded, Sinclair was taking possession *de facto* of that which he already possessed *de jure*, while his contest with his Norse rival would easily bear to Zeno's southern intelligence the aspect of a conflict with Norway. But if hyperbole in description be added to this misconception, we see how abundant a source of perplexity is presented to the reader. No sooner, however, do we gain possession of the above explanatory facts, than we find harmony introduced where before all was discord in every sense, geographically, historically, politically, and chronologically: geographically, for, whereas Niccolò Zeno, junior, had blunderingly transplanted

the names cited in the narrative as belonging to *Islande* (Shetland), to the east coast of Iceland (*Islanda*), the new explanation brings them back to their right place; historically, for *Zichmni* is recognizable as "Sinclair" vindicating his lawful claims; politically, for, by the recognition of the unquestionable use of hyperbole by Zeno, the absurd and impossible contest of Sinclair with the king of Norway is shown to be merely a contest with his Norse cousin; chronologically, for whereas, both in the Zeno narrative and map, the date of 1380 is given as the period of the elder Niccolò Zeno's first going out, while in an unpublished MS. in Venice 1390 is given as the date by the younger Niccolò, who was the author of the other date also, we have in the event recorded by Torfæus a proof that 1390, and not 1380, was of the two the correct date, and this date is also in accordance with the historical facts recorded in the Venetian annals with reference to the elder Niccolò, while that of 1380 would not be so.

Another argument which I offer in proof of the authenticity of the document is that, if the narrative and map presented to us in 1558 by Niccolò Zeno, junior, had been a compilation by him from Northern documents, we should have received the names from him in their true Northern shape as he would have copied them, whereas their distortion is the evident result of their having been taken in from Northern lips by the ear of a Southerner, and written down in his own manner. It is to be observed, moreover, that, while this fact is in accordance with the statement of the editor (who stood so high in the republic that he was one of the Council of Ten) that he put together the narrative from the residue of the letters which, in his boyhood, he had torn up, we do not find that he issues the volume with any claim for great distinction on its behalf in those directions which we can now see that it is entitled to. He merely puts it forth as one more instance of the courage and enterprise of his ancestors. On the other hand, it has been urged against the authenticity of the document that, if it had been genuine, it would not have been withheld so long from public notice at a time when the world's attention was so strongly excited by the recent discovery of America. There could not be a greater mistake. Whatever part of America may be referred to in the fisherman's story, of which I shall presently give an abstract from the Zeno narrative, it was in no sense connected by Niccolò Zeno junior's ancestors with the idea of a trans-Atlantic world, for it had been only regarded as a continuation of Europe. We could ask for no better proof that his parents did not attach this extreme value to these papers, than the fact that they did not secure them from being torn up by a child; and it is clear that neither then nor afterwards could they communicate to him what they had no idea of themselves. Comparatively unimportant, however, as these papers would therefore, in this sense, be to them, it is more easy of belief and most natural that Niccolò's father or grandfather should have received from a cousin, the descendant of Carlo, the brother of the two ancient voyagers, the letters descriptive of the exploits of his own direct ancestors, which had been addressed by one of the two to the said Carlo.

Such are a few of the objections which have been raised against the authenticity of the story, and my answers to them. I will now content myself with adding one argument which I hold to be unanswerably demonstrative of its genuineness. The book and its accompanying map both come to us from one person, Niccolò Zeno, junior. On the map, as I have already stated, are blunders of the most preposterous kind, and these blunders always occur with reference to those localities which happen to be mentioned by name in the text. In any or all of these cases, however, when we take the language of the text and bring it into collation with our geographical knowledge of to-day, we find that it is perfectly right. The map alone is ridiculously wrong, which shows that the errors arise from the misreading of the text by Niccolò Zeno, junior, and the transference of his misconceptions to the map which he endeavored to reconstruct from the old map "rotten with age." While this is a proof of his ignorance of the geography (and small blame to him, when we consider the period at which he lived), it is the greatest proof that could be desired that he could not possibly have been the ingenious concoctor of a narrative, the demonstrable correctness of which, when checked by modern geography, he could thus ignorantly distort upon the face of a map.

Having thus, as I hope, established the genuineness of the document, I will proceed to show in what its interest consists.

After the affair in Shetland, Earl Sinclair left Niccolò Zeno in a fort which he had built at Bressay, with some small vessels, and men, and stores; and, in the following summer, Zeno resolved to try his fortune in a voyage of discovery. He fitted out three small barks in the month of July, and, sailing north, arrived in Engroneland or Greenland.

Here he found a monastery of Friars Preachers, and a church of St. Thomas, close by a volcanic hill. There was also a hot-water spring, which the monks used for heating the church and the entire monastery, and by which they cooked their meat and baked their bread. By a judicious use of this hot water, they raised in their small covered gardens the flowers, fruits, and herbs of more temperate climates, thereby gaining much respect from their neighbours, who brought them presents of meat, chickens, &c. They are indebted, the narrative says, to the volcano for the very materials of their buildings; for, by throwing water on the burning stones while still hot, they convert them into a tenacious and indestructible substance, which they use as mortar. They have not much rain, as there is a settled frost all through their nine months' winter. They live on wild fowl and fish, which are attracted by the warmth of that part of the sea into which the hot water falls, and which forms a commodious harbour. The houses are built all round the hill, and are circular in form and tapering to the top, where is a little hole for light and air, the ground below supplying all necessary heat. In summer time they are visited by ships from the neighbouring islands and from Trondheim, which bring them corn, cloths, and other necessaries, in exchange for fish and skins. Some of the monks are from Norway, Sweden, and elsewhere, but most of them from Shetland. The harbour is generally full of vessels, detained by the freezing of the

sea, and waiting for the spring to melt the ice. The fishermen's boats are like a weaver's shuttle; they are made of the skins of fish, and sewn together with fish-bones in such a manner that, in bad weather, the fisherman can fasten himself up in his boat and expose himself to the wind and sea without fear, for they can stand a good many bumps without receiving any injury. In the bottom of the boat is a kind of sleeve tied fast in the middle; and, when water gets into the boat, they put it into one-half of the sleeve, close it above with two pieces of wood, and loose the band beneath so that the water runs out. The friars are liberal to workmen, and to those who bring them fruit and seeds, so that many resort to them. Most of the monks, especially the principals and superiors, speak the Latin language. And this is all that is known of Engroneland, as described by Messire Niccolò Zeno.

It is a fact very well known by this time in America that, as far back as the tenth century, Greenland was colonized by emigrants from Norway, and that as far back as the eleventh century similar colonies were established in North America; but nothing of the sort was known in Venice at the time that the Zeno document was published, viz., in 1558. Even in Norway itself, at that time, the very site of the Greenland colony was so entirely forgotten that it was not known whether it had lain on the eastern or the western side of that continent; and from that time down to 1828 the kings of Denmark sent out a great number of unsuccessful expeditions with the view of finding where it was. It is true that ruins had been found more than a century ago on the south-west coast, in the district of Julianashaab; but as there had been in fact two colonies, the eastern and the western, named respectively the *Ostre Bygd* and the *Westre Bygd*, of which the former was by far the most important and the seat of the diocese, and as its name would and did lead to the supposition that it lay on the eastern coast, it was obviously impossible to decide from a few ruins of no very marked character to which of the two they belonged. It has been my good fortune to settle this question beyond all doubt by means of a Greenlandic document of a date a few years anterior to that of the brothers Zeno. In 1349, the Skrellings or Esquimaux had fallen upon the *Westre Bygd*, and Ivar Bardsen, a Greenlander, the author of the document to which I allude, being steward or lay justiciary to the bishopric of Gardar in the *East Bygd*, was sent to convey succour to the sister colony. We could not, therefore, have a better authority than he on the subject; and he has left us sailing instructions for reaching the colony from Iceland, and a chorography of the colony itself. He tells us that, in going to the colony from *Snæfeldsnaes*, on the west coast of Iceland, the course is due west till you come to *Gunnbjorn's Skerries*, some vast rocks named after *Gunnbjorn*, the first of the Northmen who sighted Greenland. Ivar Bardsen says that these rocks were clogged round with the ice which had come down from the north, and it was necessary then to steer a south-west course to avoid it, after which a north-west course would bring you to *Cape Hvarf*, a name which means a "turning point." As such he himself treats it, for in his chorography he takes us from this point of *Hvarf* first east-

wards to two fjords quite uninhabited, and thence further eastwards to an island named Kaarsoe, "*beyond which nothing can be seen on sea or land but ice and snow.*" He then brings us back to Hvarf, and leads us westwards, describing, *seriatim*, the different points and localities in the East Bygd, about whose names there is no manner of doubt, as several of them are mentioned in the Sagas and in other chorographies. After leading us from place to place gradually westwards to a fyord called Ericksfjord, he says, "*Northwards from Ericksfjord are two arms of the sea, named Ydrevig and Indrevig. Next northwards lies Bredefjord; thence further to the north is Eyrarfjord, and so on to Isefjord, which is the most westerly fjord in the East Bygd.*" He then says that between the East and West Bygds was a space of twelve nautical miles of entirely uninhabited country, and finishes his chorography by saying that the West Bygd had been utterly depopulated by the Skrellings. Now, with this description before us, we can have no difficulty in fixing the position of the East Bygd; for, if the enumeration of places eastwards from Hvarf leads to where *nothing can be seen but ice and snow,—the characteristics of the north,—*while the enumeration of places westwards from Hvarf closes with places lying northwards and more north, it is obvious that Hvarf must occupy a southern point between the two, and consequently the East Bygd will be seen to have lain on the south-west coast of Greenland, in the very position where the ruins have been found. This mode of reasoning seems never to have occurred to any one before, but I believe the conclusion is unavoidable. It is obvious also that, if we were to suppose Hvarf to be anywhere on the east coast, the enumeration of places westward therefrom could not lead to north and more north, but, on the contrary, to south and more south; while, if we suppose Hvarf to be on the west coast, the enumeration eastwards therefrom would not terminate "*where nothing could be seen on sea or land but ice and snow,*" but, on the contrary, in the open sea. This simple exposition is my strong point for the final settlement of the site of the East Bygd. It is surprising that an argument so conclusive should have escaped the attention of all who have sought the solution of this question, from Archbishop Walkendorf, in 1516, and the learned Torfæus downwards to the present day. Had it been discovered, the kings of Denmark would have been spared, during the last three centuries, the expense and anxiety of a considerable number of futile expeditions. The able and intrepid Captain Graah, who, in 1828, commanded the last of these expeditions, denied altogether Ivar Bardsen's statement respecting Gunnbjorn's Skerries, and so threw discredit on his invaluable sailing directions. Not finding the rocks where Ivar Bardsen places them, midway between Iceland and Greenland, he says that "*the fact is disproved, not only by the experience of the Icelandic traders and fishermen, but by that also of the English and Dutch whalers.*" Ivar Bardsen, however, had made no mistake, and it has been my great good fortune to make a discovery which perfectly proves his correctness. On a map of the world, by Johann Ruysch, in the 1507 edition of Ptolemy, the first engraved map which has America laid down on it, is

placed midway between Iceland and Greenland an island against which stands this legend: "Insula hæc anno Domini 1456 fuit totaliter combusta." And as the volcanic destruction of this island must have left a reef, after making this discovery I proceeded to examine later charts, and found on three, of about the date of 1700, the reef laid down in precisely the same locality, with the name of "Gombar Scheer," — a sailor's version of Gunnbjorn's Skerries. The reef was sixty miles long from north to south, and about twenty-five miles broad, with soundings of twenty-five fathoms at the north and south ends. We see, then, that Ivar Bardsen is correct, and we learn from him the exact position of the Greenland colony; and if we refer to the Zeno map we shall find that it and Ivar Bardsen confirm each other, for on that map all the settlements lie on the west and none on the east side, while, in the very position where we have shown Hvarf to be, we see the word "Avorf," which is manifestly the Southerner's mode of writing the same name. With such corroborative proofs, then, of the genuineness of the Zeno story, with what interest must we turn to the account, brief as what survives of it is, of Zeno's personal observations in that country! Even though, as is not improbable, there may have been some exaggeration in the extent and degree to which the hot water of the thermal springs was turned to account in his narration, and although the volcano which he mentions (and which, by the way, is also mentioned in the same narrative as having been visited in the same locality some years afterwards by a hundred of Sinclair's soldiers) is now extinct, and thermal springs have apparently disappeared from the immediate neighborhood assumed by Professor Rafn to be the site of the monastery, yet the existence at the present day of thermal springs, at Ounartok, about twenty-five miles off, is in favor of the genuineness of the Zeno story, while it is clear that no one can be answerable for the capriciousness of volcanic agencies. Then, as to the remainder of the narrative, the description of the fishermen's boats, and their contrivances for safety in those dangerous seas, is truly admirable. The mode of constructing their houses in this strange country, related to us by an eye-witness five hundred years ago, and the use of potstone — a true Greenlandic product — in their domestic utensils, have about them an interest of a very rare character.

The severity of the climate of Greenland was too much for the strength of Niccolò Zeno, and he soon returned to the Faroe Islands, where he died. Antonio, contrary to his desire, was detained in the service of Earl Sinclair for many years. The earl wished to send him out to the westwards to verify the report of some fishermen who had discovered some rich and populous countries in that direction, which we shall presently see to be America. The narrative, which was embodied in a letter from Antonio to his brother Carlo, is in brief as follows:—

Six and twenty years ago four fishing boats put out to sea, and encountering a heavy storm were driven over the sea in utter helplessness for many days, and at length came to an island called Estotiland, lying one thousand miles west of Frislanda. One of the boats

was wrecked, and its crew of six men were brought by the natives into a large and populous city and taken before the chief, who sent for many interpreters to speak with them. Only one of these, who spoke Latin and had also been cast by chance upon the island, could understand them. On learning who they were and where they came from, the chief desired that they should stay in the country, which they did perforce for five years, and learned the language. One of them in particular having seen much of the island, reported that it was rather smaller than Iceland, but much more fertile, having in the middle a high mountain, whence flow four rivers which water the whole country. The inhabitants are very intelligent, and possess many arts. In the king's library were found several Latin books, which were not at that time understood. The people had their own language and letters, and in the south there was a great and populous country very rich in gold. Their foreign intercourse was with Engroneland, whence they imported furs, brimstone, and pitch. They sowed corn and made beer, which is "a kind of drink that north people take as we do wine." They had woods of immense extent, and many towns and villages. They built small boats and sailed them, but knew nothing of the compass. Hence these fishermen were held in high estimation, and were sent southwards with twelve boats to a country called Drogio. They arrived there after a perilous voyage; but, the inhabitants being cannibals, most of the crews were eaten. The fisherman and his companions were spared because they could catch fish with nets, and they were so much prized on this account that a neighbouring chief made war on their master to get possession of them, and, being the stronger, succeeded. In this way they spent thirteen years, being fought for and won by more than twenty-five chiefs in that time, and in the course of his wanderings the fisherman gained much information. He describes the country as very large, and, as it were, a new world, the people very rude and uncultivated. They go naked and suffer from the cold, but have not the sense to clothe themselves with skins. They live by hunting; but, as they have no metal, they use lances of wood sharpened at the point and bound with strings of hide. They fight fiercely, and afterwards eat the conquered. They have chiefs, and laws which differ in the several tribes. They grow more civilized towards the south-west, where the climate is milder, and they have cities, and temples to their idols, in which they sacrifice men and afterwards eat them. In those parts they have knowledge of gold and silver.

At last the fisherman determined, if possible, to return to his country, and finally succeeded. He worked his way to Drogio, where he stayed three years, when some boats from Estotiland came to the coast and received him on board as interpreter. Finally, he returned to Frisland, and gave an account of this important country to Sinclair.

This appears to have been, for the close of the fourteenth century, a pretty good description of the state of things in America as far down as Mexico. It is evidently a *résumé* of the knowledge acquired by the Northmen in their expeditions to the west and south-west. In addition to the information gathered by the fisherman during his own

long stay in the country, he would, on his return to Greenland or Iceland, hear much from those who kept up mercantile connection with America, to add to the store of knowledge which he communicated to Sinclair.

One of the first achievements of the Greenland colonists was the discovery of North America by Lief, son of Eric the Red, in the year 1001. The tracts of country there discovered were called Helluland, *i.e.*, Slate Land, supposed to be Newfoundland; Markland, *i.e.*, Woodland, supposed to be Nova Scotia; and Vinland or Vineland. There is much uncertainty about the situation of the two former, but the site of Vinland is less problematical. One of the old writers says that on the shortest day in Vinland the sun was above the horizon from Dagmaal to Eikt; and as Dagmaal is known to have meant half-past seven o'clock, A.M., and Eikt half-past four o'clock P.M., it follows that the length of the day was nine hours, which gives the latitude of forty-one degrees. This deduction is confirmed by a curious coincidence. Adam of Bremen, writing in the eleventh century, states, on the authority of Svein Estridson, king of Denmark, a nephew of Canute the Great, that Vinland got its name from the vine growing wild there, and for the same reason the English rediscoverers gave the name of Martha's Vineyard to the large island, close off the coast, in latitude forty-one degrees, twenty-three minutes.

The old documents also mention a country called Huitramannaland or Whiteman's Land, otherwise Irland it Mikla or Great Ireland, supposed to include North and South Carolina, Georgia, and Florida. There is a tradition among the Shawanese Indians, who emigrated some years ago from Florida and settled in Ohio, that Florida was inhabited by white people who possessed iron instruments. It is further recorded in the ancient MSS., that the Greenland bishop, Erick, went over to Vinland in the year 1121, and that in 1266 a voyage of discovery to the arctic regions of America was made under the auspices of some clergymen of the Greenland bishopric. The next recorded discovery was made by Adalbrand and Thorwald Helgason, two Icelandic clergymen, in the year 1285, the country found being supposed to be Newfoundland. The last record preserved in the old Icelandic MSS. relates a voyage from Greenland to Markland, performed by a crew of seventeen men, in the year 1347. The account written by a contemporary nine years after the event speaks of Markland as a country still known and visited in those days, and it was, until now, the latest document that spoke of the maintenance of intercourse between Greenland and America. In the Zeno document, however, we have the very latest evidence known in literature of the continued existence of that intercourse down to the close of the fourteenth century, a hundred years before the time of Columbus; for, although the valuable Codex Flatoiensis, preserved in Copenhagen, was completed at a period exactly contemporary with that of the Zeno, it does not record such late details on this interesting subject. The descriptions of the old Icelandic MSS. sufficiently explain how Latin books, which had been taken over by the priests, should be found in the chiefs

possession. The woods of immense extent tell their own story. The importance of catching the codfish with nets, the description of the natives and their habits, the report of a country to the south rich in gold, are points in the Zeno narrative in harmony with our present knowledge and the testimony of the Icelandic records. Perhaps the most interesting, as showing the existence of Scandinavian people and customs in America at that period, is the statement of their making beer, which, as Zeno says, is "a kind of drink that northern people take as we do wine." Of the antiquity of beer-drinking in the north, we have proof from Sæmund the Learned, who in the eleventh century made that collection of poems known as "the Poetic Edda." In the "Lay of the dwarf Alvis" occurs the expression, "Ale it is called by men, but by the Æsir (gods) biorr." In the Copenhagen Museum are horns used of old by the Vikings for drinking beer. We have already had remarkable evidence that an inflated, bombastic style may be used in the narration of a true story. When, therefore, in the description of a more remote country like America, we meet with such expressions as "the king's library" and "cities and temples," which might awaken misgivings as to the soundness of the story, we may revert to Zeno's account of the conquest of the Faroe Islands, and, recognizing the same inflated style as common to the stories, acknowledge that it would be unreasonable on that score to throw more doubt upon the one than upon the other.

It will be observed that in the Zeno narrative, "Estotiland" is described as an *island* and "Drogio" as a *country*. The former was somewhat less than "Islanda," and, as the description of it very fairly agrees with Newfoundland, the editor has here rendered the word *Islanda* "Iceland," and not "Shetland," as it is translated in those other parts of the narrative where the latter was obviously meant. That he is justified in this selection of the larger of the two localities bearing the name of "Islanda" in the text to meet the comparison with Newfoundland as to size, will be seen by a reference to page 34 of the text, where it is shown that the book prepared by Antonio Zeno, but torn up by Niccolò Zeno, junior, contained descriptions of both Iceland and Shetland, although the former is left unnoticed in the text as we now have it, which was put together from the surviving letters of the ancient voyagers. Drogio, subject to such sophistications as the word may have undergone in its perilous transmission from the tongues of Indians *via* the northern fisherman's repetition, to the ear of the Venetian, and its subsequent transfer to paper, appears to have been a native name for an extensive tract of North America.

At length the expedition is organized for the verification of the fisherman's statements; and, as the story of its adventures is that part of the narrative which has caused the greatest perplexity, it is here given in full:—

"Our great preparations for the voyage to Estotiland were begun in an unlucky hour; for, three days before our departure, the fisherman died who was to have been our guide; nevertheless Zichmni would not give up the enterprise, but, in lieu of the fisherman, took some sailors that had come out

with him from the island. Steering westwards, we discovered some islands subject to Frislanda, and, passing certain shoals, came to Ledovo, where we stayed seven days to refresh ourselves and to furnish the fleet with necessaries. Departing thence we arrived, on the first of July, at the Island of Ilofe; and, as the wind was full in our favor, we pushed on; but not long after, when we were on the open sea, there arose so great a storm that for eight days we were continuously kept in toil, and driven we knew not where, and a considerable number of the boats were lost. At length, when the storm abated, we gathered together the scattered boats, and, sailing with a prosperous wind, we discovered land on the west. Steering straight for it, we reached a quiet and safe harbour, in which we saw an infinite number of armed people, who came running furiously down to the water side, prepared to defend the island. Zichmni now caused his men to make signs of peace to them, and they sent ten men to us who could speak ten languages, but we could understand none of them, except one that was from Shetland. He, being brought before our prince, and asked what was the name of the island, and what people inhabited it, and who was the governor, answered that the island was called Icaria, and that all the kings that reigned there were called Ieari, after the first king, who, as they said, was the son of Dædalus, king of Scotland, who conquered that island, left his son there for king, and gave them those laws that they retain to the present time; that after this, when going to sail further, he was drowned in a great tempest; and in memory of his death that sea was called to this day the Icarian Sea, and the kings of the island were called Ieari; that they were contented with the state which God had given them, and would neither alter their laws nor admit any stranger. They therefore requested our prince not to attempt to interfere with their laws, which they had received from that king of worthy memory, and observed up to the present time; that the attempt would lead to his own destruction, for they were all prepared to die rather than relax in any way the use of those laws. Nevertheless, that we might not think that they altogether refused intercourse with other men, they ended by saying that they would willingly receive one of our people, and give him an honorable position amongst them, if only for the sake of learning my language and gaining information as to our customs, in the same way as they had already received those other ten persons from ten different countries, who had come into their island. To all this our prince made no reply, beyond enquiring where there was a good harbour, and making signs that he intended to depart. Accordingly, sailing round about the island, he put in with all his fleet in full sail, into a harbour which he found on the eastern side. The sailors went on shore to take in wood and water, which they did as quickly as they could, for fear they might be attacked by the islanders; and not without reason, for the inhabitants made signals to their neighbours with fire and smoke, and taking to their arms, the others coming to their aid, they all came running down to the seaside upon our men, with bows and arrows, so that many were slain and several wounded. Although we made signs of peace to them, it was of no use, for their rage increased more and more, as though they were fighting for their own very existence. Being thus compelled to depart, we sailed along in a great circuit about the island, being always followed on the hill-tops and along the sea-coasts by an infinite number of armed men. At length, doubling the northern cape of the island, we came upon many shoals, amongst which we were for ten days in continual danger of losing our whole fleet; but, fortunately, all that while, the weather was very fine. All the way till we came to the east cape, we saw the inhabitants still on the hill-tops and by the sea-coast, keeping with us, howling and shooting at us from a distance, to show their animosity towards us. We therefore resolved to put into some safe harbour, and see if we

might once again speak with the Shetlander, but we failed in our object; for the people, more like beasts than men, stood constantly prepared to beat us back if we should attempt to come on land. Wherefore Zichmni, seeing that he could do nothing, and that, if he were to persevere in his attempt, the fleet would fall short of provisions, took his departure with a fair wind, and sailed six days to the westwards; but the wind afterwards shifting to the south-west, and the sea becoming rough, we sailed four days with the wind aft, and at length discovered land."

Icaria has been supposed by many commentators to represent some part of America. Johann Reinhold Forster was the first to suggest that it meant Kerry, and I am convinced that he was right, although for reasons that he has not adduced. The name, the point of arrival, the conduct of the natives, and the movements of the fleet after leaving the island, all lead to this conclusion. The expression in the original, "*scoprimo da Ponente terra*," is susceptible of two meanings, — either that they came upon an island to the westward, or upon its western side. But as when repulsed by the natives they sailed round about the island, and came into a harbour on its eastern side, it is manifest that the harbour which they first entered was on the west, and in a position corresponding exactly with Kerry.

The signals by fire and smoke, the pursuit along the hill-tops, and the howling of the strangers off the coast, are Irish all over. The sailing of the fleet six days to the westward, with a fair wind, after leaving the north point of the island without seeing land, is a fact which accords with the situation of Ireland, but not any part of America, or any other country otherwise answering the conditions.

Admiral Zahrtmann, the greatest antagonist of the Zeno narrative, says: —

"As to the fabulous parts of the narrative, it is difficult to select one passage in preference to another for refutation, the whole being a tissue of fiction."

Now it happens that there is no room for selection in the matter, for there is only one piece of fable in the whole story, and one cannot form a tissue out of a single thread. That one piece of fable (by fable, must not be understood a mere exaggerated statement of a real event) is the story of the kings of Icaria being called Icari after the first king, who was the son of Dædalus, king of Scotland, in memory of whose death by drowning that sea was called to this day the Icarian Sea. I am strongly of opinion that this excrescence on the narrative is the handiwork of Niccolò Zeno, junior, and for the following reason: The form of the name Icaria was a very reasonable one for a Southerner to give to the Northern name of Kerry; but the Northerners, from whom Zeno received it, would be little likely to tell him such a story as that which we here have of Dædalus and the Icarian Sea, which manifestly takes its origin from the form which the word had taken under the Southerner's pen. On these grounds, I suggest the reasonableness of the conclusion, that Niccolò Zeno, junior, found in his ancestor's letter the name Icaria only, without the fable. But as

during the very time that intervened between his discovery of the letters when he was a boy and his publication of them, his fellow-citizen Bordone brought out two editions of his "Isolario," in which that well-known fable is told of the island of Nicaria (*olim* Icaria) in the Ægean Sea, it seems highly probable that this suggested to his mind the grafting of the story on the name which he had found transmitted by his ancestor under the same form.

After the fleet had sailed six days to the westward from Ireland, the wind shifted to the south-west, and carried them to a harbour in Greenland. To this harbour and the headland near it they gave the name of Trin, and here Sinclair, being taken with the pureness of the atmosphere and the aspect of the country, conceived the idea of making a settlement, or, as Zeno calls it, "founding a city." As, however, his people were anxious to get home, he merely retained the row-boats, and such of the men as were inclined to stay with him, and sent all the rest away, under the command of Zeno. After twenty days' sail to the eastward and five to the south-east, he found himself on Neome, a locality which I need not trouble myself to speculate upon, and in three days reached Frisland or Thorshavn; and so ends the story, and in it we have the latest document in existence, as far as we know, giving details respecting the European settlers in North America, although a century before Columbus's great voyage across the Atlantic, and showing that they still survived at that period.

I would beg to remind the reader that this is but a *résumé* of a more elaborate work, and consequently many points may strike the reader's attention, both in the matter and in the map, which might ask for elucidation not supplied in these pages. In such cases I have no recourse but to refer him to the work itself.

BRITISH MUSEUM, August 5, 1874.

The full-length portrait of Washington, recently copied for the Society from the original in the possession of the Earl of Albemarle, at Quidenham Park, arrived at the rooms on the morning of the meeting, and was placed in the Dowse Library for the inspection of the members.

NOVEMBER MEETING.

A stated monthly meeting was held on Thursday, the 12th instant, at eleven o'clock A.M.; the Hon. CHARLES FRANCIS ADAMS, Vice-President, in the chair.

The Recording Secretary read the record of the last meeting.

The Librarian read the list of donors to the Library for the last month.

The Corresponding Secretary reported the acceptance of Mr. D. A. Goddard, elected a Resident Member.

Mr. ADAMS then said:—

I have to note on this occasion the loss, since our last assembling, of one of our valued immediate members; and likewise of one on our honorary list, well known to many of us from personal acquaintance formed during his visit to this country many years ago.

Of the characteristics of Dr. N. B. Shurtleff, it would seem to be superfluous to treat, in a community where he has been personally known to perhaps a greater portion of his fellow-citizens than almost any other man. A member of numberless associations, in all of which he took an active interest; a diligent municipal head, earnest and zealous to fulfil the arduous duties of that trust, at the same time that his labors in the investigation of all the curious details of our local annals were unintermitted,—he has left behind him the evidences of his industry, which will remain long associated with the history of the city. Under these circumstances, the Council have directed me to report the following resolution:—

Resolved, That we record with deep regret the loss of our associate Dr. N. B. Shurtleff, whose indefatigable industry has contributed such valuable results in the investigation of our colonial and civic annals as will for ever earn for his memory the gratitude of all later explorers in the same path.

Resolved, That the President be requested to appoint a member of the Society to write the Memoir of Dr. Shurtleff for the Proceedings.

The Honorable Edward Turner Boyd Twisleton was a brother of the thirteenth Baron Saye and Sele,—a family of very ancient descent, at one time associated with events to which all Americans can never fail to look back with profound interest. He was born in 1809, and graduated with honor at Trinity College, Oxford, in the year 1829. From that time he has been engaged in a variety of official employments connected

with the educational and legal reforms undertaken by the government of Great Britain, in all of which he acquitted himself creditably and with honor. It was in his journey through the United States that he happened, in visiting our city, — alas! too soon sundered, — which ever afterwards associated him more closely with American interests. His last most elaborate literary work — an effort to identify the authorship of the Letters of Junius as that of Sir Philip Francis — will remain as a permanent memorial among the mass of evidence connected with the extraordinary literary mystery that has not yet reached any satisfactory solution.

The resolutions were unanimously adopted, and Mr. C. C. Smith was appointed to write the Memoir of Dr. Shurtleff.

The following extract from a letter of Mr. Winthrop, the President of the Society, to the Secretary, dated Paris, 12th October, 1874, referring to the death of Mr. Twisleton, was read to the meeting: —

“I observe in ‘Galignani’s Messenger’ this morning the death of our Corresponding Member, Hon. Edward Twisleton. He was, as you know, of that old Saye and Sele family which was associated with our New England Puritan Emigration in the days of Governor Winthrop. I knew Mr. Twisleton nearly twenty-eight years ago, when I was first in Europe. He was then, I believe, Poor Law Commissioner for Ireland. We went out together to dine with Sir Philip Crampton, at his charming little villa near Dublin. It was a long drive, and I had ample opportunity for appreciating his earnest interest in all good objects, and the great stores of information he had already acquired. Some years afterwards he came to the United States, and married a niece of Mr. Ticknor. Since then we have all known him, and many of our associates can bear personal testimony to his virtues and accomplishments. His association with the elaborate work on Junius will secure his name from being forgotten as long as that unending controversy shall last.”

In a letter from Paris, dated 5th November, received a few days after this meeting, Mr. Winthrop speaks of the death of Dr. Shurtleff; and it seems fitting that his remarks should be introduced here: —

“I was really in hopes to have been able to write one letter to you without being called on to allude to the death of any of our members. But ‘who can stay mortality’s strong hand?’ I have learned within a day or two that our friend and valued associate, Dr. Shurtleff, has gone. He was one of the last of our little circle for whom I should have anticipated so early and sudden a departure; and I heartily sympathize with you all in the sorrow which his loss must occasion.

Standing at the head of our executive committee this year, he was in the way of rendering us great service. But he has done enough in the cause of history to secure for his name an enviable remembrance. It is enough for the fame of any man to be associated, as he always will be, with the publication of those precious records of the old colonies of Plymouth and Massachusetts. For the local history of our beloved city, too, he has accomplished a great work. Indeed, it would be difficult to name any department of New England antiquarianism in which he has not made his mark. I trust sincerely that the valuable collections of every sort, with which his apartments were so crowded when I last visited him, will find a safe place of deposit, where they may be used for historical purposes, and remain a monument to his own diligence and devotion as an antiquary. Meantime I can only add my own expressions of regret and sorrow for his loss to those which will have already been uttered, more deliberately and more adequately, by others, long before this letter can reach you."

A previous letter of the President, dated Brussels, 3d October, 1874, thus refers to the decease of Professor Jeffries Wyman, and to the erection of a marble tablet to the memory of Agassiz, in the house in which he was born:—

"Two days before receiving yours of the 10th of September I had been greatly grieved by finding accidentally in a 'Galignani's Messenger,' at Heidelberg, a paragraph referring to the death of Jeffries Wyman. I had received more than one letter from him since I left home, and had written to him as lately as the 18th of August. I doubt whether that letter could have reached him. If so, it must have been among the very last he could have received. I remember well the terms in which Dr. Walker commended him to me as the curator of the Peabody Museum, when I was in confidential consultation with Mr. Peabody in regard to the original organization of that institution. I had known him but little before then. But every year of the seven which have since elapsed has added to my impressions of his ability and of his excellence. So much merit and so much modesty have rarely been combined in a single character, so far as my observation has gone. I was quite touched by your account of his warm expressions of attachment to me a few days before his death, and I hope sincerely that he understood my affectionate regard for him. We have had a good deal of correspondence and many consultations together since we were brought into association with the Museum, and I found him always the same willing worker, wise adviser, and patient investigator; making light of his own labors and accomplishments, and taking pleasure in giving credit to the accomplishments and labors of others. His services to our Peabody Museum have been invaluable; and his seven annual reports, of which the last reached me hardly more than a month ago, are full of the evidences of his scientific research in our behalf. I rejoice that so many of his classmates and friends were present at the meeting of our Society last month, to pay their tributes to his services and character. I have just been reading also the

charming notice of him in the 'Daily Advertiser,' by our friend Dr. Holmes, whose initials were hardly needed to assure me of the authorship. I hope that this notice may be incorporated into our Proceedings. Nothing better could be said or written by any one in regard to our lamented associate. For myself, I could certainly add nothing to so just and genial a delineation of the life and character of one whose memory I shall ever warmly cherish.

"Let me turn, before proceeding to other topics, to another of the great men of science whose loss we are all lamenting. While at Basle, ten days ago, I had occasion to see the United States Consul at that place, Mr. Henry Erni, who informed me that not many days before — on the 6th of September, I believe — a marble tablet, 'in memory of the great naturalist Agassiz,' was placed on the house in which he was born, at Motier, in the canton of Fribourg, Switzerland, with solemn exercises, accompanied by vocal and instrumental music. This was the more interesting to me at the moment, as Murray's Handbook, which, of course, had been my *vade mecum* along the route, had made Orbe the birthplace of Agassiz.*

"Our friend and associate, Mr. George B. Emerson will remember Consul Erni, who spent several years in Boston, and lectured at our Normal schools."

Dr. ELLIS reported that the Proprietors' Records of the late New South Church had been presented to the Society by Mr. Charles Wells Cook, son of the late Charles Edward Cook, clerk of the Proprietors.

The Rev. Henry W. Foote, of Boston, was elected a Resident Member.

Mr. Samuel Rawson Gardiner, of London, was elected a Corresponding Member.

An application of Mr. William Goold, of Windham, Me., to make extracts from the journal of Colonel Winslow, relating to the removal of the neutral French, or Acadians, was referred to the Council, with full powers.

A letter was read from Mrs. John Gough Nichols, dated Holmwood Park, Dorking, October 20, 1874, in which she presented a copy of a memoir of her late husband, John Gough Nichols, F.S.A., a Corresponding Member. The letter was accompanied by the volume.

* In a subsequent letter from Mr. Winthrop, the following slip from "Galilæani" was enclosed: —

A letter from Fribourg to the "Journal de Genève" states that a memorial has just been placed in the village of Motier to the memory of Agassiz. It is a black marble slab, surrounded by ornaments, simple but in good taste, about three feet high and four wide, and which bears this inscription: —

J. LOUIS AGASSIZ,
CELEBRATED NATURALIST,

WAS BORN IN THIS HOUSE ON THE 28TH MAY, 1807.

The thanks of the Society were ordered for this gift.

The following letter was read from the Earl of Albemarle:—

QUIDENHAM PARK, ATTLEBOROUGH, Oct. 24, 1874.

Sir,— Will you be so good as to express to the Massachusetts Historical Society my sense of the compliment they have been pleased to pay me, by an unanimous vote of thanks for the small share I have had in placing them in possession of a portrait of George Washington?

That I should have been in any wise instrumental in putting your national hero in his proper place is a gratification to me without alloy, belonging, as I do, to a family whose principles were uniformly opposed to that course of policy which compelled America to separate herself from the mother country.

I have the honor to be, Sir, your most obedient servant,

ALBEMARLE.

CHARLES DEANE, Esq.

Mr. WHITMORE presented a copy of a book by Increase Mather, which he regarded as the earliest publication of that prolific writer. It had the following title:—

"The Mystery of Israel's Salvation explained and applied; or, a discourse concerning the General Conversion of the Israelitish Nation.

"Wherein is shewed,—

"1. That the Twelve Tribes shall be saved.

"2. When this is to be expected.

"3. Why this must be.

"4. What kind of Salvation the Tribes of Israel shall partake of (viz.): A Glorious, Wonderful, Spiritual, Temporal Salvation.

"Being the Substance of several Sermons preached by Increase Mather, M.A., Teacher of a Church in Boston in New England. London, 1669."

Mr. ELLIS AMES produced an original printed instrument, subscribed by *eighty-four* legal voters of the west parish of Bridgewater, Mass., now the town of West Bridgewater. The heading of the printed paper bore date 1776, but against the first signature was written "May 20, 1776," the date at or near which probably most of the signatures were affixed. The following is a copy of the instrument, and of the genuine signatures of the subscribers thereto:—

Colony of Massachusetts Bay, 1776.

We, the subscribers, Do each of us severally for ourselves, profess, testify, and declare, before GOD and the World, that we verily believe that the War, Resistance, and Opposition in which the United American Colonies are now engaged, against the Fleets and Armies of Great

* The first *fifty-four* names were written on the face of the paper, beneath the printed instrument. The remainder, for want of room, were written on the back of the paper. Both lists are headed by the name of "Oakes Angier," each of whose signatures has written against it the date "May 20, 1776."

Britain, is on the Part of the said Colonies, just and necessary. And we do hereby severally promise, covenant, and engage, to and with every Person of this Colony who has or shall subscribe this Declaration, or another of the same Tenor and Words, that we will not during the said War, directly or indirectly, in any Ways, aid, abet, or assist any of the Naval or Land Forces of the King of Great Britain or any employ'd by him; or supply them with any Kind of Provisions, Military or Naval Stores, or hold any correspondence with, or communicate any Intelligence to any of the Officers, Soldiers, or Mariners belonging to the said Army or Navy, or inlist or procure any others to inlist into the Land or Sea Service of Great Britain, or take up or bear Arms against this or either of the United Colonies, or undertake to pilot any of the Vessels belonging to the said Navy, or in any other Way aid or assist them: But, on the contrary, according to our best Power and Abilities will defend by Arms the United American Colonies, and every Part thereof, against every hostile Attempt of the Fleets and Armies in the Service of Great Britain, or any of them, according to the Requirements and Directions of the Laws of this Colony that now are, or may hereafter be provided, for the Regulation of the Militia thereof.

Oakes Angier { 1776 }
May 20 }

Rich^d Perkins
Dan^l Snow
Ephraim Fobes
Edward Howard
Jonathan Howard
Nathan Willis
Ephraim Fobes, Jr.
Solomon Ripley
Edmund Hayward
Isaac Willis, Jun^r
James Johnson
John Ames
Amasa Howard
Caleb Packard
John Willis
Thaddeus Howard
Simeon Lathrop

Gooding Packard

Joseph Dall
George Howard, Jr.
Jonath. Copeland, 3^d
Nathan Willis, 2^d
Daniel Lothrop, Ju^r
Isaac Hartwell
Benjamin Richards
John Richards
Nathan Lothrop
Jonathan Copeland, Jr.
Israel Alger
Jonathan Snell, Junior
Simeon Dunbar
Robert Edson
Isaac Tribou
James Alger

Daniel Perkins

Isaac Johnson
Nathan Howard
Eleazer Snow
Job Packard
Josiah Williams
Timothy Fobes
Edward Lothrop, Jun^r
Seth Howard
Seth Lothrop
Robert Dunbar
Abiel Howard
Abijah Thayer
Daniel Hayward, 2^d
Elijah Ingraham
Simeon Keith
Barnabas Snell
William Snell
Samuel Bartlett

Oakes Angier { May 20th }
1776 }

Abiezer Alger
Josiah Lothrop
D. Howard, 2^d
Joseph Alger
Joseph Ames
Oliver Howard
Nathaniel Ames
George Howard
Sam^l Dunbar

Job Howard
David Ames
Amasa Tribou
Adams Bailey
Joseph Knapp

Daniel Lothrop
Joshua Howard
Thomas Lindsay, Ju^r
Asaph Lothrop
Isaac Lothrop
Thomas Lindsay
James Lindsay
Daniel Alger
Benjamin Alger
Daniel Alger, Ju^r

his
Thomas X Alger
mark

Samuel Lathrop
Furnell Chamberlain
Nathaniel Packard

Shepard Fiske
Eliakim Howard

Mr. AMES proceeded to say that the paper was a copy of the same instrument that was doubtless circulated in print among the legal voters of every town, parish, and hamlet of the State of Massachusetts, for those who should see fit to subscribe, so that their representatives in the General Court and in the Continental Congress might know upon what to depend as public opinion, and that the representatives might conform to the wish of their constituents.

To a great extent the legislation of the country, at the commencement of and during the Revolutionary War, was carried on under instructions from the legal voters, expressed in one form or another, with little or no debate. Thus every town in Massachusetts, as their records show, in or about May, 1776, unanimously or by overwhelming majorities (except, perhaps, the town of Hadley), directed their representatives to vote for the Declaration of Independence; so that the Declaration of Independence in Congress was merely an act of the people through their representatives; and, if any member of the Continental Congress from Massachusetts had refused to sign that declaration, he would never have dared to return home, and would have found safety only by fleeing to the British fleet or army.

Like other towns in Massachusetts, one-seventh part of the male population of that parish were in the field, which accounts in some degree for no other subscribers. There were in February, 1774, one hundred and thirteen legal voters in that parish, now town.

The first signature upon this instrument is that of Oakes Angier, Esq., son of Rev. John Angier, H. C. 1720, the first minister of the east parish of Bridgewater, and grandson of Rev. Samuel Angier, H. C. 1673, minister of Rehoboth, and afterwards of Watertown. Oakes Angier was a great-grandson of the Rev. Urian Oakes, President of Harvard College, and also a great-grandson of Governor Hinckley. He graduated at Harvard College in 1764, studied law with the elder President Adams, was a man of great force of character, and arrived at eminence in his profession. He represented Bridgewater in the General Court of Massachusetts during the political years 1776-77, 1777-78, 1778-79, and 1779-80.

The next signer to that instrument was Dr. Richard Perkins, son of the Rev. Daniel Perkins, hereinafter named. Dr. Richard Perkins graduated at Harvard College in 1748, was a physician, and was a surgeon and physician in the Provincial Army in the time of the French war, and was once taken prisoner by the French. His wife was a sister of Governor

John Hancock, and he was a representative of Bridgewater in the first and second of the Provincial Congresses, so called.

John Ames, the thirteenth signer, and father of the late Oliver Ames, Esq., of Easton, was a gunmaker, and made guns for the town's supply during the war of the Revolution.

Solomon Ripley, the ninth signer, was the great-uncle of Major-General Eleazer W. Ripley, who figured in the war of 1812, and was Speaker of the Massachusetts House of Representatives during the January session of 1812.

John Willis, the sixteenth signer, was justice of the peace from 1762 to his decease. He died July 17th, 1776, less than two months after he signed, aged seventy-five years.

Daniel Lothrop, Jr., was a captain in the Revolutionary War; and Isaac Hartwell, the next signer, was a lieutenant in the Revolutionary army.

Nathan Howard was a justice of the peace from August 5, 1767, to the time of his death in 1800.

Simeon Dunbar was a graduate of Harvard College, 1774, and a physician, and had a son George, who was with Perry's fleet at the naval battle on Lake Erie.

Daniel Perkins graduated at Harvard College in 1717, and was the second minister of West Bridgewater, and preached there sixty-two years, until he died in 1783.

Josiah Williams was the great-uncle of the late Hon. Reuel Williams, of Augusta, Maine, and of Mr. Daniel Williams, the father of the late Major-General Seth Williams, the adjutant-general of the army of the Potomac.

Seth Howard was the grandfather of the late Seth Howard, Esq., of Leeds, Maine, who represented that town in our General Court for the political year 1806-7, and who was the grandfather of General Oliver O. Howard.

Abiel Howard graduated at Harvard College in 1729, was a physician and poet, and the great-grandfather of William Cullen Bryant, Esq., from whom Mr. Bryant claims to have inherited his gift of poetry.

D. Howard, 2d, was many years the representative of Bridgewater, and many years Senator of Plymouth County, a member of the Massachusetts Convention which adopted the Constitution of the United States, a member of the Convention of 1820 for revising the Constitution of Massachusetts, and a judge of the Court of Common Pleas; and is the same person mentioned on page 496 of our Proceedings for 1869-70.

Adams Bailey soon after was a captain in the Continental army, and was a member of the Society of the Cincinnati.

Shepard Fiske was a graduate of Harvard College, 1721,

studied medicine, and practised as a physician a short time at Killingly, Connecticut. He was a half-brother of the Hon. John Quincy, many years Speaker of our House of Representatives, — a man of great distinction, who died in 1767, and was the great-grandfather of President John Quincy Adams, from whom he was named.

The second Rev. Thomas Shepard had a daughter who married Daniel Quincy, and the Hon. John Quincy was their son. Daniel Quincy died young, and his widow married the Rev. Moses Fiske, of Braintree, and Shepard Fiske was their son. Shepard Fiske moved to Bridgewater, and was many years one of the selectmen of the town. He married Alice Alger (the aunt of Abiezer Alger, the fifty-fifth signer to the instrument), and carried on the business of an iron-founder; which business, after the death of Mr. Fiske without children, June 14, 1779, was followed by said Abiezer Alger, and afterwards by his son, the late Cyrus Alger, Esq., of South Boston.

The late Judge Nahum Mitchell, many years a member of this Society, and formerly a member of Congress, informed me, in 1846, that upon going into the House of Representatives at Washington a few days before, and taking the seat assigned for former members, President John Quincy Adams came up to him in his seat, and there spoke of this Shepard Fiske, his relative, whom he said he well knew in his youth.

Eliakim Howard, the last signer, was for forty-three years town-clerk of Bridgewater, and was a brother of the Rev. Simeon Howard, Harvard College, 1758, many years minister of the West Church in Boston.

Mr. Ames well remembered ten of the signers of that instrument. The survivor of all was Jonathan Copeland, 3d, who died in the year 1839, in the eighty-fifth year of his age.

MR. APPLETON made the following remarks relative to the Albemarle portrait of Washington, a copy of which had recently been received by the Society: —

As soon as the copy of the portrait of Washington at Quidenham Park arrived, I felt sure something could be learned about it, and I have not been disappointed. Here is a French engraving, differing from our picture only in the most trifling particulars. It is entitled "Washington (Georges), Président de la République des Etats-unis d'Amérique du Nord, 1799. Tableau du temps — Gravé par Wolff — Dessiné par Girardet — Diagraphie et Pantographe-Gavard — Gal.^{rie} hist.^{que} de Versailles — S.^{te}, S.^{on} 6." It is engraved from a repetition of our

portrait, No. 4560 * of the catalogue of the Gallery of Versailles. This unfortunately gives no clue to the artist. An engraving of Washington, which somewhat resembles this, and is the only other one (so far as I know) with the ribbon of the Commander-in-chief, is in a volume entitled "AN IMPARTIAL HISTORY OF THE WAR IN AMERICA," &c., London, 1780. The biography accompanying it is perhaps the most erroneous ever written of Washington. I have here another engraving of Washington, which at first seemed to promise some clue to the artist of the portrait at Quidenham. It is entitled "LE GÉNÉRAL WASHINGTON — Ne Quid Detrimenti capiat Res publica. — Gravé d'après le Tableau Original appartenant à M. Marquis de la Fayette. — Peint par L. le Paon Peintre de Bataille de S. A. S. M.^{re} le Prince de Condé. — Gravé par N. le Mire des Academies Impériales et Royales et de celle des Sciences et Arts de Rouen." It represents Washington standing before his tent, near which are his horse and a black groom; at the right is a camp, and beyond is a city so nearly surrounded by water as to be perhaps intended for New York.

On turning to Irving's "Life of Washington," in the Appendix by Henry T. Tuckerman on the Portraits, I found exactly the information sought for. The second portrait by Charles Wilson Peale "marks the vicissitudes of the Revolutionary struggle; commenced in the gloomy winter and half-famished encampment at Valley Forge, in 1778, the battles of Trenton, Princeton, and Monmouth intervened before its completion. At the last place, Washington suggested that the view from the window of the farm-house opposite to which he was sitting would form a desirable background. Peale adopted the idea, and represented Monmouth Court House, and a party of Hessians under guard marching out of it. The picture was finished at Princeton, and Nassau Hall is a prominent object in the background. . . . Lafayette desired a copy for the king of France; and Peale executed one in 1779, which was sent to Paris; but the misfortunes of the royal family occasioned its sale, and it became the property of the Count de Menou, who brought it again to this country and presented it to the National Institute, where it is now preserved." A note to this reads, "PHILADELPHIA, Feb. 4. — His Excellency General Washington set off from this city to join the army in New Jersey. During the course of his

* Notice du Musée Impérial de Versailles par End. Soulié. 2e Ed. At page 399 of the third volume, we read, "4560, Washington (Georges), président de la république des Etats-Unis. Peinture du xviii^e siècle. — H. 2, 34. — L. 1, 52. — Il est représenté en pied, appuyé sur un canon; derrière lui, un soldat tenant son cheval, et dans le fond, des troupes en marche."

short stay, the only relief he has enjoyed from service since he first entered it, he has been honored with every mark of esteem, &c. The Council of this State being desirous of having his picture in full length, requested his sitting for that purpose, which he politely complied with, and a striking likeness was taken by Mr. Peale, of this city. The portrait is to be placed in the council chamber. Don Juan Marrailes, the Minister of France, has ordered five copies, four of which, we hear, are to be sent abroad. — *Penn. Packet*, Feb. 11, 1779."

It is evident that we have here the essential facts relating to the portrait at Quidenham; viz., that it was painted by C. W. Peale, and that there were several repetitions of it. The number painted explains some inconsistencies in Mr. Tuckerman's account, as Monmouth Court House probably appears in some of the pictures, and Nassau Hall, at Princeton, in others: this is exactly the difference between our copy of the Quidenham picture and my engraving from the one at Versailles.

[After the preceding paragraphs were printed, a letter was received from Professor Henry, of Washington, giving some facts in relation to the portrait now in the Museum of the Smithsonian Institute, being the one mentioned by Tuckerman as in the National Institute, which no longer exists. The picture at Washington has been abroad, but there are two conflicting accounts of the circumstances. Professor Henry's letter enables us to account for four specimens of this portrait, belonging respectively to the United States Government, France, the College of New Jersey, and the Earl of Albemarle.]

Mr. WATERSTON communicated several interesting letters of Dr. Priestley and of Dr. Price, which he submitted to the Committee on the Publication of the Proceedings.*

* These letters are reserved by the Committee for future publication in connection with a larger number of letters of Dr. Priestley.—Eds.

DECEMBER MEETING, 1874.

A stated monthly meeting was held on Thursday, the 10th instant, at 11 o'clock A.M.; Vice-President ADAMS in the chair.

The Recording Secretary read the record of the preceding meeting.

The Librarian read his list of donors to the Library for the last month.

Among the donations that may be specially named were thirty-four volumes of the London Magazine, from 1732 to 1766 inclusive, except the year 1750; the London Historical Register, in twenty-two volumes, from 1714-1735 inclusive, and sixteen other volumes, — from Mr. Whitmore. Mr. E. Quincy presented a volume entitled "Speeches of Josiah Quincy, edited by his son, Edmund Quincy, Boston, 1874." Mr. Parkman gave his newly issued volume, entitled "France and England in North America, Part Fourth, 1874."

The Recording Secretary, in the absence of the Corresponding Secretary, read a letter from Secretary Belknap, of Washington, by his Acting Chief Clerk, W. T. Barnard, enclosing a list of Reports as a donation to the Society's Library, with a request that a set of the Society's Transactions might be placed in the Library of the War Department.

Secretary Belknap also asked for leave to have a copy taken of the portrait of Dr. Belknap, who was a kinsman of the Secretary; and leave was granted.*

The Cabinet-keeper reported a gift of a heliotype of Deliverance Parkman's house, in Salem, Mass., built A.D. 1670, taken down A.D. 1834, — presented by Francis H. Lee, of Salem.

The Chairman, after some explanation, presented the following resolution from the Council of the Society, which was unanimously adopted: —

Resolved, That authority be hereby granted to the Council to report from time to time the names of such persons in the list of Corresponding Members of the Society as they may recommend to be transferred to the list of Honorary Members, subject to the approbation of the Society.

An application was read from Dr. J. G. Palfrey, asking permission to make extracts from the "Diary and Letter-Book" of Judge Sewall, for publication in a volume of the History of

* The request of Secretary Belknap for a set of the Transactions for the Library of the War Department was referred to the Council, who ordered a set of the Proceedings, so far as they could be spared, to be forwarded. — Eds.

New England which he is preparing. Permission was granted under the rules.

Mr. Charles C. Perkins was elected a Resident Member.

Mr. FRANCIS PARKMAN called attention to a notice he had received of an intended meeting of Archæologists interested in the history of America before the discovery by Columbus, to be held at Nancy, France, in July next; the preliminary arrangements having been made by the Société Américaine, at Paris. Mr. Parkman called attention to the fact that a greater interest appeared to be taken by European scholars in the Archæology of America than by Americans themselves. The communication was accompanied by a circular, which read as follows:—

CONGRÈS INTERNATIONAL DES AMÉRICANISTES. 1^{re} session. — Nancy, du 19 au 22 Juillet, 1875.

INVITATION.

Une réunion internationale des personnes qui s'occupent de l'Histoire de l'Amérique avant la découverte de Christophe Colomb, de l'interprétation des Monuments écrits et de l'Ethnographie des races indigènes du Nouveau-Monde, aura lieu à Nancy, du 19 au 22 juillet, 1875. Une Exposition d'Archéologie Américaine sera ouverte pendant la même période.

Toute personne s'intéressant aux études qui motivent cette réunion peut être inscrite comme membre du Congrès en adressant dès à présent: 1^o ses nom, prénoms et qualités; 2^o son adresse exacte; 3^o la somme de 12 francs, montant de la souscription, en un mandat ou en timbres-poste du pays où elle réside. On recevra, par le retour du courrier, la *carte de membre* qui donnera droit de participer à tous les travaux de la réunion et de recevoir le volume qui renfermera le Compte rendu de ses travaux.

La liste des premiers adhérents sera publiée prochainement, ainsi que celle des Comités d'organisation français et étrangers.

Le Comité central d'organisation recevra avec reconnaissance toutes les communications qu'on voudra bien lui adresser pour cette session. En attendant, il a cru devoir formuler les questions suivantes, sur lesquelles il appelle l'attention des amis de l'Archéologie et de l'Ethnographie américaines:

1^o Rapports de l'Europe, de l'Afrique, de l'Asie et de l'Océanie avec l'Amérique avant Christophe Colomb;

2^o Interprétation des documents écrits de l'antiquité américaine (peintures didactiques mexicaines, écriture calculiforme, maya et palenquénne, Quippon péruvien, écritures des populations indiennes de l'Amérique du Nord, Inscriptions, etc.);

3^o Classification ethnographique et linguistique des populations indiennes du Nouveau-Monde.

Des programmes détaillés seront ultérieurement publiés.

Pour le Comité de Nancy:

LUCIEN ADAM, *Secrétaire*.

Pour la délégation de la Société américaine de France:

ÉMILE BURNOUF, *Secrétaire*.

The Circular also contained a list of the "Statuts," the "Comité Local d'Organisation," and of "Délégations."

On motion of Dr. ELLIS, the subject of Mr. Parkman's communication was referred to the Council of the Society.*

The Recording Secretary spoke of having recently received a number of letters from Mr. Winthrop, from whom the Society are always glad to hear. In a letter of 5th November, from Paris, he speaks of meeting our associate General Palfrey, and of going with him to the reception of the President of the Republic, Marshal MacMahon, where they saw all the Diplomatic Corps. "It was at the Elysée," he says, "a beautiful Palace of many memorable associations."

"Last week," he continues, "I was present at the Annual Séance of the Institute of France, and saw the Five Academies in full conclave. M. Bertrand, the President, paid a brief tribute to Agassiz, as well as to Guizot and others who had died during the year. Three hours of French discourse, from five different *savans*, representing the different Academies, made a sufficient entertainment for one day. I send one of the programmes of the occasion for our book of scraps. I sent a Galignani a few days ago, which contained Mr. Adams's remarks, and the extract of my letter, about Guizot, which had been published in the 'Boston Daily Advertiser.'"

In a letter of the 12th November, he says if he were then in Boston he should be joining in the tributes to Dr. Shurtleff, and taking part in the proceedings of the Society. He speaks of the death, a few years ago, of William Paver, Esq., of York, England, a Corresponding Member; and had heard through his friend, Count Belleval, of the death, many years ago, of M. César Moreau, whose name stands first on the old Corresponding and Honorary Roll, and of whom he speaks more at large in a later letter. He had met our Corresponding Members, M. D'Avezac; Pressensé, now an active member of the National Assembly; and William Story, who was *en route* from London to Rome.

"I spent an hour," he says, "with Mignet last week. The death of Guizot carries him to the top of our page. I shall bring home a photograph of him with his signature, for our Album. He is a charming person, looking almost as well as when I saw him at the Institute nearly twenty-eight years ago."

In a letter of the 17th of November, he says:—

"I did not mean to have written to you again till I reached my

* At a subsequent meeting of the Council, the Hon. Robert C. Winthrop, the President of the Society, now in Europe, was requested to act as a delegate to this Congress, to represent the Society; and the Secretary was directed to forward to him his credentials.

winter quarters at Cannes, whither we go to-morrow. But my friend, Count Belleval, has sent me a couple of pamphlets which show that the date of César Moreau's death was 26 Nov., 1861.

"M. César Moreau was the principal Founder of the Society of Universal Statistics, in 1829, and of the French National Academy of Agriculture, Manufactures, and Commerce, in 1830. An *Éloge* was pronounced at his funeral by M. Aymar Bression, Directeur-Général, in the name of the two Institutions which he had founded; and his portrait was placed in the Hall of one of them.

"He was a Chevalier of the Legion of Honor, and his statistical studies and publications had secured a place for his name on the roll of the Royal Society of London.

"I may send the pamphlets which show all this, to our library, by mail. Meantime I send to your address three little books, which please exhibit at our next meeting, and present to our library. Two of them (Voltaire's Charles XII.) are the first two of a series of publications designed to furnish good books for the people at the lowest prices. The volumes are sold for 25 *centimes*, or 5 cents each! In one of them you will find a catalogue of all which have been printed since 1863, when the system was adopted by some Association for the benefit of the working classes. We have had cheap libraries in America, for schools, and for the diffusion of useful knowledge; but I doubt whether any country, except France, can show a standard work of history, in two volumes, for ten cents! The other little volume which I found at the same shop for four francs (80 cents) is called a 'Musée National,' and contains eighty woodcuts of the great men of the past. Most of them are French celebrities. But Washington and Franklin and Robert Fulton are included. There is a succinct biography of each person. It has been got up in order to render the names of great men, and their portraits, familiar to the young, and is to be continued in successive volumes. It is used, I believe, as a reward of merit in the schools. These publications struck me as so cheap and so interesting that I could not resist the impulse to place copies where they might be seen in Boston, where something of the same sort might be usefully done. I dare say, after all, that you and Dr. Green know all about this cheap French library already. It has reached nearly two hundred little volumes, as the catalogue will show.

"P. S. I was just closing this letter, when yours of the 31st ult. was handed to me. I am grieved to learn that good Dr. Walker is so feeble. I hoped he would live for many years yet. Pray give him my warmest regards (if it be not too late). I have ever cherished the greatest respect for him, and concur in all you say of his wisdom and excellence."

Mr. T. C. AMORY called the attention of the Society to a passage in the tenth volume of Mr. Bancroft's History of the United States, recently published, at page 502, namely,—"That New Hampshire abandoned the claim to the fisheries was due to Sullivan, who at the time was a pensioner of

Luzerne." Mr. Amory explained in the language of Sullivan himself, at a later period, why in 1781 he opposed making the question of the fisheries an ultimatum in the instructions to the American ministers at Paris.* He thought there was not the slightest reason to doubt that his motives in this instance were pure and patriotic. Sullivan was not alone in his vote, for Jay and enough more were joined with him to defeat the motion.

Mr. Amory proceeded to say that an application to Mr. Bancroft by the descendants of General Sullivan, for his authority for the statement that Sullivan was a pensioner of Luzerne, resulted in the production of a copy of a letter from that minister to Vergennes, which the historian said was the source of his information; that from this letter it appeared that Sullivan, when a delegate to the Congress in Philadelphia, received a sum of money from Luzerne, as a loan. And he read the letter from an English translation, placing at the same time a transcript of it in French in the hands of the Secretary. They are both given below. Mr. Amory explained that General Sullivan, a lawyer by profession, had, at the breaking out of hostilities, already acquired a competent estate. That in his five years' constant service in the army, his private affairs were necessarily neglected, his fortunes impaired, and his available means exhausted. If in need, he had become so in the service of his country. After leaving the army out of health, he was, in 1780, induced, for reasons relating to the controversy concerning the New Hampshire Grants, much against his own wishes, to accept the position of delegate to the Congress at Philadelphia. The compensation allowed was scarcely sufficient to defray the expenses on the road. At this time his pay as an officer from the government was largely in arrears. The sum due to him, including \$1,500 which he had advanced for the public service, and which was not paid till he was leaving Congress, in October, 1781, amounted to some \$5,000. He was therefore far from home, without resources. This had become known to Luzerne, the minister of our ally, who, of his own motion, opened his purse to him. There was no evidence that Sullivan himself regarded the transaction in any other light than as a loan, which he was bound to repay. There was nothing that could be interpreted as a bribe, and nothing that was not honorable to both parties. The interests of France and America in the war were identical. Although at the time Luzerne penned his despatch, in May, 1781, many months after the money had been advanced, it had not been returned (and,

* See Amory's "Life of Major-General John Sullivan," p. 206 — Eds.

from the extreme poverty of the country and the inability of the government to pay its arrears, the minister may have seen little prospect that it ever would be paid), yet there was no reason to doubt, if there was no evidence to prove, that it ultimately was paid. Mr. Amory gave a sketch of the career of Sullivan, and also of the character of Luzerne; and cited a passage from Marbois's "Treason of Arnold," to show the elevated sentiments expressed by Luzerne to that officer when he sought help from him to pay his debts, and urged as an inducement the services he could render in return to the French government. In conclusion, Mr. Amory said there was nothing in the letter, which he now submitted to the Society, to warrant the statement of the historian that Sullivan was a pensioner of Luzerne.*

Lettre de M. de la Luzerne à M. de Vergennes.†

PHILADELPHIA, le 13 mai 1781.

MONSEIGNEUR, — Lorsque la malle aux lettres de Philadelphia fut interceptée l'année dernière et que les Anglais publièrent quelques-unes de celles qu'ils y avaient trouvées, j'en remarquai une d'un Délégué qui se plaignait du dénuement où son État le laissait et de la cherté de toutes les choses nécessaires à la vie dans Philadelphia, et j'eus l'honneur de vous en envoyer la traduction. Dès cette époque il me parut nécessaire d'ouvrir ma bourse à ce Délégué, dont l'Ennemi connaissait les besoins par sa propre confession, et sous l'apparence d'un prêt, je lui remis 68 guinées 4 septièmes. Une seconde malle interceptée a mis les Anglais en possession d'une lettre qui lui est adressée par le Trésorier de son État et qu'ils ont imprimée. Elle est également relative à des besoins pécuniaires. Le G^d Clinton a soupçonné qu'un homme aussi pressé d'argent pouvait être disposé à se laisser corrompre, et comme il avait un frère prisonnier à New York, il a permis à ce dernier de venir à Philadelphia sous prétexte de solliciter son échange; le Délégué est venu me trouver et m'a confié que son frère lui avait remis une lettre non signée mais qu'il a reconnu à l'écriture pour être du Colonel

* In his letter, Luzerne mentions that Sullivan had often spoken of his losses by the war, and "son ancienne aisance." This demands a word of explanation. Sullivan, no doubt, accepted the sacrifice entailed by the struggle for independence, and as cheerfully as his compatriots; but in the freedom of friendly intercourse with Luzerne, especially when accepting a loan to relieve his pressing necessities, it was natural that the peculiar circumstances which placed him in a situation to require aid from any one should be uppermost in his mind, and take expression without reserve or fear of being misinterpreted. Whether their conversation was in French or English, some allowance must be made for the probability that neither spoke nor understood a foreign language quite as perfectly as his own — NOTE BY MR. AMORY.

† The copy of this letter from which we print contained some obvious errors, probably made in the transcription. We have not hesitated to correct these, as the sense is in no way affected by the correction. — Eds.

Anglais qui est actuellement à New York. "L'auteur de cette lettre," m'a-t-il dit, "après s'être étendu sur les ressources de l'Angleterre, sur les moyens qu'elle a de soumettre à la fin l'Amérique, me fait de grands complimens sur mes lumières, mes talens et l'estime que les Anglais ont conçu pour moi, il ajoute qu'ils me regardent comme l'homme le plus propre à moyenner une réconciliation entre la Mère patrie et les Colonies Anglaises et qu'ils désirent que je leur expose mon sentiment sur cette matière, que toutes les ouvertures de ma part seraient reçues avec la reconnaissance qu'elles méritent, que je n'ai qu'à dire ce que je désire, que la personne qui m'écrit a tout pouvoir d'ouvrir une négociation particulière avec moi, et que je puis compter sur le plus profond secret. J'ai répondu à mon frère avec toute l'indignation que m'inspirait de pareilles avances, j'ai jeté devant lui la lettre au feu, et lorsqu'il est parti pour New York je l'ai prié de témoigner à ceux qui l'envoyaient que leurs offres avaient été reçues avec le plus profond mépris. J'ai cependant gardé le silence vis-à-vis du Congrès sur l'aventure, soit pour ne pas compromettre mon frère, soit pour ne pas faire parade de mon désintéressement, soit parceque j'ai trouvé dangereux d'annoncer avec trop d'authenticité à mes Collègues que l'Ennemi cherche un traité parmi eux, et que sa récompense est prête; mais j'ai cru devoir vous confier ces détails afin de vous mettre en garde contre les intrigues de l'Ennemi jusques dans le sein du Congrès parceque s'ils ont osé faire de pareilles offres à moi, dont l'attachement à la bonne cause est aussi généralement connu, il n'est que trop possible qu'ils en aient fait à d'autres qui ne viendront point vous en faire part." Le fond de cette confidence m'a paru vrai, Mgr., mais je ne suis pas aussi persuadé que ce Délégué ait chargé son frère de porter à New York une réponse, aussi fière et aussi insultante pour les Anglais qu'il me l'assure. Il m'a même fait une proposition tout à fait singulière, c'est de feindre de prêter l'oreille aux ouvertures qui lui sont faites, d'envoyer un homme affidé à New York demander au G^r Clinton un projet de conciliation, en ajoutant qu'il n'a pas voulu se servir du ministère de son frère parcequ'il craint son attachement à l'indépendance. Je trouve, m'a-t-il dit divers avantages à sonder de la sorte les dispositions des Anglais afin de connaître quel peut être leur plan de corruption et de savoir jusqu'où ils se proposent d'aller dans leurs concessions, et il m'a nommé quatre membres du Congrès, auxquels il se proposait de confier son projet avant de l'exécuter, et qui sont tous gens d'un caractère éprouvé.

Le Délégué jouit lui-même d'une excellente réputation et je répugne infiniment à soupçonner qu'il voudrait me faire servir de moteur à une correspondance avec l'ennemi, mais il m'a si souvent parlé des pertes que la révolution lui a occasionnées, il regrette si amèrement son ancienne aisance, que j'ai craint pour lui la tentation à laquelle il voulait s'exposer, et je n'ai pas balancé à le détourner du projet en lui exposant sans déguisement les grands inconvéniens qu'il entraîne. Il ne m'a pas promis formellement d'y renoncer, mais, si malgré les représentations que je me suis proposé de lui réitérer, il y persistait je surveillerais de si près sa conduite, que j'espère découvrir

tout ce qu'elle aura de bonté. Au reste je l'ai constamment bien disposé à être très confiant, et c'est à lui toujours que j'attribue la rupture de la ligue formée par les États de l'Est, ligue, qui par de fausses idées de popularité, de liberté et par une jalousie excessive de l'armée et du G^r en Chef a longtemps arrêté les mesures les plus urgentes et qui en nombre d'occasions s'est montrée également jalouse de nos avantages et de notre influence. Il jouit de beaucoup de considération dans son État, il eut le crédit de le déterminer à se déclarer pour l'indépendance en 1776. C'est le seul État qui n'ait pas encore fixé sa forme de Gouvernement, et comme ce retard a de grands inconvénients, et laisse aux mal intentionnés l'espérance de voir le rétablissement du Gouvernement Anglais, il m'a promis dès qu'il y retournera d'employer tout son crédit sur le peuple pour l'engager à se donner une constitution.

J'ignore combien de temps il doit encore rester dans le Congrès, mais j'ai pensé que vous ne désapprouverez pas que je fisse l'offre que je lui ai fait l'année dernière, aussi longtemps qu'il sera Délégué, et ma proposition a été très bien accueillie. Dans toutes les suppositions il est intéressant de le ménager. Il est bien fâcheux que plusieurs autres Délégués se trouvent dans une situation encore plus nécessitante. Ceux du Sud, dont les États sont envahis, n'ont d'autre ressource que de recevoir du Congrès un traitement pour leur Subsistance, et ce traitement est si borné que l'un d'eux qui a été précédemment Gouverneur de Georgie est réduit à soustraire sa femme de la société, faute d'habits sous lesquelles elle puisse paraître décemment.

Cette tentative des Anglais m'a donné occasion de demander au Délégué à qui ils se sont adressés, si la longue habitude qu'il a du Congrès et la manière de voter de ses collègues lui avaient donné lieu de soupçonner quelqu'un d'eux de corruption, il m'a indiqué celui contre lequel j'ai d'anciens soupçons et un autre dont le caractère lui paraît également douteux ; mais à ces deux exceptions près, il croit le Congrès composé de gens d'un caractère sûr et inaccessible à la séduction.

Je joins ici Mgr. la traduction d'un pamphlet publié contre M. Duane membre du Congrès pour New York, le jour même où ce Délégué a quitté Philadelphia pour se rendre dans son État. Il a été inséré dans une Gazette dont le Rédacteur a annoncé qu'il encherissait sur ses Collègues quant à la licence avec laquelle leurs papiers sont écrits, et que la torture seule ou la formalité de lois lui arracherait les noms de ceux qui se serviraient de son journal pour publier leurs productions. On attribue l'écrit dont il s'agit à Mr. le Gouverneur Morris, qui avait Siégé dans cette assemblée jusqu'à la fin de 1779 comme Délégué de ce même État. Les faits allégués sont reconnus vrais, mais je crois que Mr. Duane a depuis longtemps abandonné les principes équivoques qui ont réglé sa conduite pendant les premières années de cette révolution, et je l'ai trouvé constamment attaché à l'indépendance.

J'attendrai vos ordres Mgr. pour porter les avances dont il est question dans cette Dépêche sur mes états de dépenses extraordinaires.

Le Sr. Payne dont j'ai eu l'honneur de vous parler précédemment et sur qui je pensais qu'on pourrait jeter les yeux pour écrire l'histoire de la révolution actuelle, est passé en France au mois de février dernier sur la fregate *l'Alliance*.

Les deux vaisseaux expédiés de Cadix avec des habits pour l'armée Américaine sont heureusement arrivés à Boston.

Je suis & &

Signé

LE CH. DE LA LUZERNE.

Le Délégué dont il s'agit au Commencement de cette dépêche, Mgr. est le Général Sullivan qui représente au Congrès l'État de New Hampshire.

The same in English.

PHILADELPHIA, May 13, 1781.

MY LORD, — When the Philadelphia mail was intercepted last year, and the English published some of the letters which they found in it, I noticed one from a delegate, who complained of the destitute condition in which he was left by his State, and of the dearth of all necessaries of life in Philadelphia, and I had the honor to send you a translation of it. From this time, it seemed to me necessary to open my purse to this delegate, whose wants the enemy knew by his own confession; and, under the semblance of a loan, I advanced him 68 guineas and 4 sevenths. A second intercepted mail put the English into possession of a letter addressed to him by the Treasurer of his State, which they have printed. It also relates to his pecuniary needs. General Clinton suspected that a man so pressed for money might be open to corruption; and as he had a brother, a prisoner in New York, he allowed the latter to come to Philadelphia, under pretext of soliciting his exchange. The delegate came to me, and confided to me that his brother had given him a letter, not signed, but which he recognized by the handwriting to be from an English colonel who is now in New York. "The author of this letter," he said to me, "after expatiating upon the resources of England and the means she possesses of subjugating America finally, pays me great compliments upon my intelligence, talents, and upon the esteem in which I am held by the English, and adds that they look upon me as the most proper person to bring about a reconciliation between the mother country and the English colonies, and they desire me to make known to them my sentiments in the matter; that all overtures on my part will be received with the gratitude which they deserve; that I have only to give expression to my wishes; that the person who writes to me has full power to open a private negotiation with me; and that I may count upon the most profound secrecy. I answered my brother with all the indignation which such advances were calculated to inspire. I threw the letter into the fire before him, and, when he left for New York, I begged him to declare to those who sent him that their offers had been received with the most profound contempt. I said nothing to Congress about this affair, partly not to compromise my brother, partly not to make a parade

of my disinterestedness, partly because it seemed dangerous to announce with too much confidence to my colleagues that the enemy sought a traitor among them and that his recompense was ready. But I thought it my duty to confide to you these details, in order to put you upon your guard against the intrigues which the enemy is carrying into the very centre of Congress; because if they dared make such offers to me, whose attachment to the good cause is so generally known, it is only too possible that they have made them to others who may not come forward to tell you of them."

What he confided to me has seemed substantially true, my Lord, but I am not as convinced that this delegate charged his brother to carry to New York so proud and insulting a reply to the English as he said he had done. He even made me a very singular proposition: it was to feign to listen to the overtures which were made to him, to send to New York a trusty messenger to ask from General Clinton a plan of reconciliation; adding that he did not wish to avail himself of the intervention of his brother, because he fears his attachment to Independence. "I find," said he to me, "several advantages in sounding in this way the disposition of the English, so as to know what may be their plan of corruption, and to know how far they propose to carry their concessions;" and he named to me four members of Congress, to whom he thought of confiding his plan before putting it in execution, and who are all persons of approved character.

The delegate himself enjoys an excellent reputation, and it is exceedingly repugnant to me to suspect that he wished to involve me in a correspondence with the enemy; but he has so often spoken to me of the losses which he has met with by the Revolution, he regrets so bitterly his former competency, that I have feared for him the temptation to which he wished to expose himself, and I have not hesitated to divert him from the plan by showing him plainly the great inconveniences that it would entail. He has not formally promised me to renounce it; but if, in spite of the views that I intend again to present to him, he should persist, I will watch his course so closely that I shall hope to discover all that is good in it. As to the rest, I have always found him disposed to be very confiding, and it is to him that I always attribute the rupture of the league formed by the Eastern States; a league which, by false ideas of popularity, of liberty, and by an excessive jealousy of the Army and of the General-in-Chief, has for so long a time delayed the most urgent measures, and which on numerous occasions has shown itself equally jealous of our advantages and of our influence. He enjoys much consideration in his State, and had the credit of determining it to declare for Independence in 1776. This is the only State which has not yet fixed upon its form of Government; and as this delay has great inconveniences, and leaves to the badly intentioned the hope of seeing the re-establishment of the English Government, he has promised upon his return to use all his credit with the people to induce them to give themselves a constitution.

I do not know how much time he has yet to remain in Congress, but I thought you would not disapprove my making him the same

offer that I made him last year, as long as he remains a delegate; and my proposition has been very well received.* At all events, it is desirable to treat him with consideration. It is much to be regretted that several other delegates find themselves in a still more necessitous condition. Those from the South, where the States are invaded, have no other resource than to receive from Congress an allowance for their subsistence, and this allowance is so limited that one of the delegates, who was formerly Governor of Georgia, is obliged to withdraw his wife from society for want of attire in which she could suitably appear.

This attempt of the English has given me the opportunity of asking the delegate to whom they have applied if the long acquaintance he has had with Congress, and the manner of voting among his colleagues, has led him to suspect any of them of corruption. He pointed out to me one against whom I had some old suspicions, and another whose character appeared to him equally doubtful; but with perhaps these two exceptions he felt sure that the Congress was composed of persons of trustworthy character and inaccessible to corruption.

I transmit, my Lord, the translation of a pamphlet against Mr. Duane, member of Congress for New York, published the very day that this delegate left Philadelphia to go to his own State. It has been inserted in a Gazette whose Editor has announced that he valued contributors according to the license with which they had written, and that torture alone, or the formality of the law, should draw from him the names of those who should use his journal to publish their productions. The article now in question is said to be by Gouverneur Morris, who sat in this assembly till the end of 1779 as delegate from this same State. The alleged facts are acknowledged to be true, but I think that Mr. Duane has long since abandoned the equivocal principles which guided him during the first years of the Revolution, and I have found him always attached to Independence.

I shall await your orders, my Lord, to enter the advances spoken of in this despatch upon my account of extraordinary expenses. Mr. Paine, of whom I have had the honor to speak to you before, and to whom I have thought all might look to write the history of the present Revolution, left for France last February, in the frigate "Alliance."

The two vessels sent from Cadiz with clothing for the American army have arrived safely in Boston.

I am, &c., &c.,
Signed, THE CHEVALIER DE LA LUZERNE.

The delegate of whom I spoke at the beginning of this despatch, my Lord, is General Sullivan, who represents in Congress the State of New Hampshire.

Mr. SMITH submitted the following Memoir of Dr. Shurtleff, which he had been appointed to prepare for the Society's Proceedings:—

* Sullivan remained in Congress but one year.

MEMOIR

OF THE

HON. NATHANIEL B. SHURTLEFF, M.D.

BY CHARLES C. SMITH.

NATHANIEL BRADSTREET SHURTLEFF was born in Boston, June 29, 1810, and died in that part of the city formerly called Dorchester, October 17, 1874. His father, Dr. Benjamin Shurtleff, was a native of Carver, but early removed to Boston, where he acquired considerable professional reputation and an ample fortune. His mother, whose maiden name was Sally Shaw, was a native of Plymouth; and through both his father and his mother he traced his ancestry back to some of the earliest settlers of the Old Colony. William Shurtleff, from whom are derived all of the name in New England, was at Plymouth so early as 1634, in which year he was apprenticed to Thomas Clark; but it is not known when or with whom he came to America. In 1745 his grandson, Benjamin Shurtleff, great-grandfather of the subject of this Memoir, was married to Susanna Cushman, a lineal descendant of Robert Cushman, the trusted agent of the Pilgrims in many of their negotiations with the merchant adventurers; and by other marriages the family became connected with many of the descendants of the first settlers of Plymouth. Among his ancestors, the younger Shurtleff counted five of the heads of families who came over in the Mayflower, — Isaac Allerton, James Chilton, Francis Cooke, Stephen Hopkins, and Richard Warren; and it need scarcely be added that he felt a just pride in this honorable descent.

He received his early education in the public schools of his native town; and afterward spent two years at the Round Hill School, in Northampton, then under the charge of the late Joseph G. Cogswell and the historian Bancroft. At the age of seventeen he was admitted to the Freshman Class in Harvard College; and in 1831 he was graduated. At college he did not take much interest in the regular course of studies, and his

rank in the class was not high enough to entitle him to a part at Commencement. After leaving college, he entered the Medical School, and in 1834 he received the degree of M.D. He at once began the practice of his profession in Boston, and gradually succeeded to a large part of his father's business. At this time he was much interested in the study of comparative anatomy, and made many mechanical preparations in which he is said to have shown accurate knowledge and great skill in manipulation. In July, 1836, he was married to Sarah Eliza, daughter of Hiram Smith, of Boston. By her he had seven children, of whom three died in infancy, and three are still living. The eldest son, Nathaniel B. Shurtleff, Jr., was appointed to a captaincy in the 12th Massachusetts Regiment of Volunteers, immediately after its enlistment, and was killed at the battle of Cedar Mountain, August 9, 1862, at the age of twenty-four.

Not long after leaving the Medical School, Dr. Shurtleff published anonymously "An Epitome of Phrenology; being an Outline of the Science as taught by Gall, Spurzheim, and Combe: to accompany a Chart delineated according to this system, or the marked Bust approved by Dr. Spurzheim." This is a small, compact volume of one hundred and thirty pages, designed chiefly as a pocket companion for the advocates of phrenology; and it is the only separate publication in the line of his professional studies which Dr. Shurtleff ever issued. As its title indicates, it is simply an abstract of the theories of the phrenologists and of the alleged facts adduced in support of them; and a large part of the book is devoted to an explanation of the nomenclature adopted by the disciples of Gall and Spurzheim, and to a description of the various moral and intellectual qualities for which they professed to find clearly marked organs in the brain. Dr. Shurtleff writes like a man who is thoroughly convinced of the soundness of these theories; and it apparently did not fall within his plan to support them by any new arguments or by any fresh investigations, and no attempt is made to answer the objections of the opponents of phrenology. Apart from the familiarity with the doctrines of the phrenologists, which is its chief merit, the book shows a strong taste in the writer for the pursuit of elegant literature, and there are numerous citations from the English poets. There is no indication that Dr. Shurtleff had at that time any special tendency toward historical studies.

His first publication which showed an interest in those studies was a list of "The Passengers of the Mayflower in 1620," contributed to the first number of the "Genealogical Register," and afterward privately printed, in 1849, in a small quarto

volume of twenty-four pages. When this tract was published, it was not known that any contemporaneous list of the passengers who came in the Mayflower was extant; and Dr. Shurtleff prepared his list with much labor from all the sources of information then accessible to a diligent inquirer, avowing in the introductory remarks his belief that "the list is entirely or very nearly correct." The list is, in fact, highly creditable to his industry and acuteness in the prosecution of his inquiries; but the subsequent recovery of Bradford's long-lost History proved that many of the conjectural emendations were incorrect, and Dr. Shurtleff's list is no longer consulted. It derogates, however, nothing from his just reputation as an antiquary that his first venture proved to be of much less value than he supposed it to possess.

In 1848 he printed, in a thin octavo, "A Perpetual Calendar for Old and New Style: prepared for the use of those engaged in Antiquarian and Historical Investigations"; and in 1851 he issued a second edition, in quarto, with some omissions and a few additions designed to increase the usefulness of the tables. Both editions were privately printed, and the volume is extremely rare. Its plan is simple, and the whole execution such as to render the book a valuable manual for the historical student, who is often embarrassed in his investigations by the need of just such help as is here afforded him.

In 1850 Dr. Shurtleff printed for private circulation, in a small quarto of nineteen pages, "A Brief Notice of William Shurtleff, of Marshfield," with some account of his three sons. This tract contains all that is now known of the early history of the family, and forms a part of another small volume, also privately printed in 1850, under the title of "Thunder & Lightning; and Deaths at Marshfield in 1658 & 1666." In the latter volume, which Dr. Shurtleff desires his readers to remember "is strictly a private tract, for private use only," he gives some early documents relating to two instances of deaths by lightning at Marshfield in the early history of the settlement, with biographical notices and other illustrative matter. William Shurtleff was one of the persons killed at Marshfield in 1666; and it was no doubt this circumstance which led his descendant to prepare and print this monograph. In the same year Dr. Shurtleff contributed to the "Genealogical Register," and afterward printed separately "A Genealogical Memoir of the Family of Elder Thomas Leverett, of Boston," giving a brief and satisfactory account of the family from the first appearance of the name here through five generations, down to the early part of the last century.

These small tracts afford but faint indications of the extent

and thoroughness of his historical researches, and would in themselves scarcely justify the high reputation as an antiquary which he had already won for himself. But his next labors in this direction have for ever associated his name with our early history. In 1853 appeared the first two volumes of the "Records of the Governor and Company of the Massachusetts Bay in New England." These were followed in 1854 by three more volumes, completing the publication of the Records down to the Presidency of Joseph Dudley, a period of a little more than fifty years. In accordance with the provisions of the Legislative Resolve authorizing the printing of the volumes, Dr. Shurtleff was appointed to edit them. This difficult and responsible duty he performed in a manner which left nothing to be desired, and is an abundant justification of the choice of editor then made. It was no part of his duty to prepare the copy for the use of the printers; but in the final revision of the proofs he spared no labor, and the volumes form a permanent monument to his patient industry and his scrupulous exactness. "Notwithstanding the great care bestowed by the copyist," he says in the Introductory Remarks to the first volume, "the editor considered it of the greatest importance that the proof-sheets should be closely collated with the original record, and consequently has, with considerable labor, compared every word of the printed copy with the original manuscript, and has also revised all doubtful words and passages with the same." Substantially the same remark is repeated in the introduction to the third volume. In performing the duty assigned him, Dr. Shurtleff very properly abstained from making any editorial comments or annotations on the record, and confined himself to the insertion of "such brief notes as were considered needful to inform the reader what portions of the manuscript record were written by different persons, and who the several writers were."

On the completion of this important labor, he was appointed to edit "The Records of the Colony of New Plymouth in New England," which were ordered to be printed by a Resolve of the Legislature of Massachusetts, passed in 1855. The first four volumes were issued in that year; the fifth and sixth appeared in 1856; and the seventh and eighth volumes were issued in 1857. In the following year Dr. Shurtleff was superseded in his editorial labors, in consequence of a change in the political character of the State government. The eight volumes which he had carried through the press had been edited on the same general principles which he had adopted with regard to the Massachusetts Records, and they are marked by the same conscientious fidelity in the discharge of his honorable duty.

In the Introductory Remarks to the first volume, he again says: "The editor has, with especial care, compared every word and letter of the printed copy with the written record, deeming exactness of the greatest importance in every particular, especially in orthography."

On the organization of the Public Library, he was chosen one of the Board of Trustees, which office he held until he became Mayor, a period of sixteen years; and he was also one of the Commissioners for the erection of the Library building in Boylston Street. As one of the Trustees, he was, from the first establishment of the Board, intrusted with the duty of making "all arrangements and regulations needful for circulating the books and using the Library," and he had therefore "the opportunity of originating from the very commencement the arrangement and working machinery of a large library." His views were embodied in a quarto volume of eighty pages, privately printed in 1856, under the title of "A Decimal System for the Arrangement and Administration of Libraries." This treatise, as he expressly states in the Preface, was "intended only to be descriptive of a system which the writer has introduced into the Public Library of the City of Boston, with the approbation of his co-laborers in the Board of Trustees, and which has been in practical operation there since the summer of 1852." It is divided into three parts, describing with great minuteness of detail the "arrangement of the library room and books," the "preparation of the library for use," and the "administration of the library." With some modifications, the system which it explains is still retained in the Public Library; but experience has since shown that some of the arrangements were not those best suited to the object in view. The volume was an important contribution to the literature of the subject, and it may still be consulted with profit.

In 1862 Dr. Shurtleff edited "A Literal Reprint of the Bay Psalm Book," prefixing a brief bibliographical notice, and bestowing on the revision of the proof-sheets the same unwearied labor which he had given to the Massachusetts and Plymouth Records. For the use of historical scholars the reprint is of scarcely less value than the original edition; and it is matter for regret that only fifty-six copies of the volume were printed.

During the next eight or nine years he printed nothing, except official documents, prepared while Mayor of the city, and occasional articles in the newspapers. But in 1871 he issued the most important of his original contributions to historical literature, — "A Historical and Topographical Description of Boston." This is an octavo volume of upward of seven hundred pages, and is made up from a series of articles origi-

nally published in one of the weekly newspapers, and printed in a more permanent form at the request of the City Council. In it the style is clear, vigorous, and manly; but there is often a want of dignity, and there are frequent repetitions, due, no doubt, to the manner in which the volume was prepared. Nowhere else, however, in any convenient and available form, can so much information be found in regard to the history and topography of Boston; and what is here published is less than a quarter part of the materials which Dr. Shurtleff had been accumulating for nearly forty years. In a minute and exact knowledge of the topography and history of Boston, he had no superior; and it will be a serious loss to historical literature if it shall be found that his manuscripts and his contributions to the newspapers are not in such a state as to permit of their collection into a volume for posthumous publication.

In every thing which related to his native city he took a deep interest. In addition to his connection with the Public Library, he was, from 1854 until his death, a member of the School Committee. At the municipal election in December, 1867, he was the Democratic candidate for Mayor, and was chosen by a plurality of 516 votes over the Republican candidate; in the following year he was re-elected by a plurality of 1,849 votes; and in 1869, having failed to obtain a nomination from his own party, he secured so cordial a support from the citizens at large that his plurality over all the other candidates was 7,670 votes. There can be no better testimony as to the popular judgment of the manner in which he had discharged the duties of his office. At the close of his third year of service he declined a re-election. His mayoralty was not brilliant, but it was marked by economy and by a close attention to the ordinary duties of the office. The most important events were the annexation of Roxbury and Dorchester, the laying out of Atlantic Avenue, and the widening of Hanover Street.

Dr. Shurtleff was elected a member of the Historical Society in March, 1847. From 1854 to 1860 he was Cabinet-keeper; from 1861 to 1864, Librarian; from 1852 to 1854, and from 1872 until his death, a member of the Standing Committee. He was also a member of the Committees for publishing the first and second volumes of the Fourth Series of the Collections. His only important contributions to the printed Proceedings were an Account of the Maps of Boston, presented at the meeting in June, 1862, with a supplemental note, presented in April, 1864; and some remarks on "Negro Election Day," at the meeting in May, 1873. He was also a member, and for many years one of the Council, of the American Anti-quarian Society; a member, and at one time Librarian, of

the American Academy of Arts and Sciences; an Honorary Member of the Royal Society of Antiquaries of London; an Honorary or Corresponding Member of several of our sister Historical Societies; a member, and at different periods an officer, of many other literary or scientific associations; and, from 1854 until his death, Secretary of the Board of Overseers of Harvard College.

A ceaseless activity characterized his whole life. No man was more familiarly known in our streets; and probably no one in the community was connected with a greater number of organizations formed for either temporary or permanent objects. If the knowledge and activity which were dissipated in so many and so various directions could have been concentrated on a smaller range of interests, he would doubtless have left a more durable reputation. As it is, very little remains to justify to another generation the undisputed rank which he held as one of our most learned antiquaries, — a man whose knowledge was minute, thorough, and exact, always ready, and always at the service of other inquirers pursuing similar investigations.

JANUARY MEETING, 1875.

A stated monthly meeting was held on the 14th instant, at 11 o'clock, A.M.; Vice-President ADAMS in the chair.

The Recording Secretary read the record of the preceding meeting.

The Librarian read his monthly list of donors to the Library.

The Corresponding Secretary read a letter of acceptance from Mr. Charles C. Perkins.

The Chairman now alluded to the decease, since the last meeting, of a distinguished Resident Member, the Rev. James Walker, D.D., paying an appropriate tribute to his memory. He concluded by offering the following resolution from the Council:—

Resolved, That this Society by the death of the Rev. James Walker, D.D., has lost one of its most revered associates. Eminent for his great learning, his profound wisdom, and his exalted moral worth, he had justly attained, at the close of a life of fourscore years, the reputation of a Christian philosopher. That in the high positions which he has filled he per-

formed services which have been gratefully appreciated in this community.

Resolved, That the President be requested to appoint a member of the Society to write a Memoir of Dr. Walker for the Proceedings.

The Chairman now called upon Dr. ELLIS, who spoke as follows:—

Dr. Walker has been a member of this Society nearly eighteen years. He was chosen into it on the same day on which De Tocqueville and Guizot, who has so recently preceded him in death, were elected Honorary Members. He was with us at the annual meeting preceding the last, his growing infirmities of late having put a bar on his frequent attendance. He contributed to our Proceedings the excellent Memoirs of Judge White and President Quincy; he took part in tributes to several of our associates as they passed away, and gave to the Society a fair share of the time and interest which he had to divide among many academic, literary, and benevolent trusts. He was a good and patient listener, too; no secondary excellence in a member of a society dealing but little with novel or exciting things. Most of us have known him in other scenes and relations of life. His great qualities of mind and his eminent virtues of character, his range of public services and his extended friendships, cemented by profound respect and gratitude, will assure for him multiplied and varied tributes, now that his work has ended. It is for us, in this our fellowship, devoted to historical and biographical studies, to make a respectful and affectionate recognition of him as lately our revered associate.

James Walker came of the substantial and sturdy yeoman stock which, emigrating from old England, rooted itself in this Bay Colony. His ancestor was in the first company of settlers. The family, through all its generations here, with a predominant element of farmers living on their own rural acres, thrifty and independent, has contributed to an extended region of our country a fair proportion of men eminent for talent and service. Of this stock was Timothy Walker, the first, and for fifty years the only, minister of the new wilderness settlement at Pennacook, Rumford, now Concord, N. H., whose daughter was the first wife of Count Rumford. Of the same stock were the late distinguished jurist, Judge Walker, of Ohio, and the mathematician and astronomer, the late Sears Cook Walker. The father of our associate, John Walker, was commissioned as a major-general in 1798, by President John Adams, and commanded our forces at Oxford, when hostil-

ities were apprehended from the French. He lived in that part of the town of Woburn originally Charlestown, which he was mainly instrumental in having set off as a town by itself, as Burlington. Here Dr. Walker and one brother, the only children, were born. The mother, Lucy Johnson, was a descendant in the fourth generation from the famous Captain Edward Johnson, surveyor, military leader, chronicler, and, we must add, poet-laureate of the colony, — the author of the "Wonder-Working Providence of Zion's Saviour in New England."

One had not need to trace in Dr. Walker, as they spoke for themselves, those inherited traits and qualities, physical, moral, and intellectual, which he derived from a pure and sturdy lineage of frugal ways, careful thrift, and self-respecting manliness and integrity of principle. The tastes and inclinations which he early manifested secured for him, at the cost of efforts and sacrifices from himself and his father, the privileges of a preparatory and a college education. The somewhat exacting conditions on which he won these privileges prompted him to a lively sympathy with students whose early lot was like his own. He retained through his long life, with all its honors and all its social surroundings, the simple tastes and habits, the plain ways of living, and the unworldly moderation which characterized his Puritan lineage. His native dignity dictated the degree of his conformity to all conventionalisms. His only form of self-indulgence was in the luxury of books. He was a faithful and an easy scholar, winning the first honors. The strength of his development and acquisitions through life was in moral and intellectual vigor, in logical power, and in acuteness of understanding. He had no musical ear, no artistic culture, and, perhaps, but moderate æsthetic appreciation. Had he written poetry, it would not probably have been much better than that of his maternal ancestor. He never crossed the sea, and he made but scant excursions on the land. He loved the quiet, the occupations, and the regularity of home life.

There was granted to him a long life, and at its close a natural death, which he was prepared to meet with Christian fortitude and peace. His wife had preceded him by a few years, and he never was a father. He was ready to do the full work of a man in exacting professional service as soon as he reached his maturity, and he had the well-won privilege of a period of honored and happy retirement after he had passed the appointed span. For nearly twenty-two years the beloved pastor of a large Christian society; for sixteen years a professor, and for seven years President, of Harvard College; a preacher, meanwhile, of extraordinary power and popularity

during all those years, with editorial, literary, and benevolent labors, multiplied and exacting, interspersed through them; and through his whole life a special counsellor and inspiration for young men fitting themselves for all high duties, — such, in brief summary, is his record. He wrought so faithfully and directly to meet the demands of his own time and place that he has probably left but small legacies from his mind and pen for posterity, other than that which is perpetual and benedictive, as the fruitage of an eminently pure and useful life. His mind and character present an inspiring and interesting study.

Dr. Walker had, to a most remarkable degree, a very rare faculty, when he wrote on ethical, moral, or philosophical subjects, of making a clear, strong, and well-defined *statement*, — a statement which should express all he meant to say without suggesting, or intimating, or implying, or leaving to be inferred, any thing more than he said. There was no penumbra of vagueness, no unfilled margin about it. The statement was all nucleus, and though often not so large or full in the avowal of opinion or the taking of a position as some hearers would have welcomed, it was all they were to have, and they were to make the most of it. It was the natural proclivity and preference of his own mind to say very clearly and very positively what he meant to say, and then to close his lips while the ears of his hearers were still open. But this natural proclivity of his was strengthened by a dislike which amounted to an antipathy, though generally expressed in humor and banter, of the orphic or transcendental style brought in by some of his contemporaries and friends. He loved to read their books and essays for relaxation. The bewitched syntax by which, in turning a sentence end for end, they converted a commonplace truism into an oracle, gave him matter for jocosity. He would make a study of one of their characteristic sentences, wondering at first whether it meant any thing, then as to which of some half dozen possible meanings it was the vehicle, and ending often by putting a meaning into it.

These clear-cut and carefully limited statements, so characteristic in the utterances of Dr. Walker, were all the more guarded as the significance and critical import of the subject which he was treating, or the phase or tendency of the speculative thought which was engaging him, made his hearers the more intent to have him define his position. Some of them thought that a dash of mental or moral courage would have kept his lips still open. Some thought he would have increased his personal weight as an influence, even over those who would not have been in accord with him, by taking side heartily with

the party with which he might be in fuller sympathy. Others still tried to fix him, as they said, where he belonged, by supplementing his public cautious utterances by his sometimes very free private confidences.

As the case stands, for an estimate either of the fulness of his wisdom or the sturdiness of his independence, as manifested by any strongly defined position marking his individuality, it will probably be generally recognized that caution in public speech and action was his main characteristic. Two very significant movements, of especial import to one of his profession and position, went forward around him in the circle of which he was at the centre at the period of his most vigorous life,—the transcendental movement in the field of speculative and critical religious thought, and the anti-slavery and related reforms on the political field.

Many men of much less weight than himself started into notoriety by speech and action more bold and forward than were his. Many men, not his equals in ability, have secured a fame which extends beyond and will outlast his, by apt and effective use of opportunity and by meeting popular expectation. He proved himself consummately able and free as an exponent and champion of one phase in the advance of New England speculative theology, in its ever-restless assertions and negations of development. But as the process went on beyond the stage and the results where he had stood as a foremost, unflinching, and most positive preacher and controversialist, he reserved himself from all public and avowed handling of it. The most we can say of his position afterwards is that it was that mentally of an umpire, and socially of a most intelligent, hospitable, and sharply discerning trier of the spirits of those who were carrying on or attempting to stay the process. No one was more curious or keen than he in watching the tentative stages and the development of the rationalistic school. He read and tried to digest all its contributions to the press. He was interested to know the position and attitude of all our professional men, scholars, thinkers, and writers, in this ferment of opinions and notions. With the spirit of progress in all truth and wisdom, he was in perfect sympathy. With some of the methods pursued and some of the anticipatory boastings over results claimed as reached, he did not accord. He was not sure that there was any bottom where some of his friends were sounding; at any rate, he did feel sure that they had not found it. Probably those who knew him best and longest have inferred that the tendency of his mind, besides being intensely deliberative, was also naturally sceptical. He believed but little, and that quite after the habit of an eclectic, out of the

whole sum of traditional and accepted tenets. And that may have been the reason why he so strongly emphasized what he retained as certified to his own understanding and convictions.

As it was with the theological and speculative, so it was in the great reformatory movements in politics and society, so stirring and exciting in our community during his professional activity. He was cautious and reticent about them publicly. He did not obtrude himself or assert himself on either side, and many on either side would have been glad to have claimed and followed him as leader and champion. Bets were often staked as to how his vote or ballot would be cast. But no money was lost in the hazard, as, in such critical cases as prompted it, he did not vote at all. Prominent and ardent men and women, committed to discipleship or advocacy of the one or the other of our *isms*, schools, and parties, would hold confidential interviews with him, and come away equally persuaded that he was in sympathy with each of them. And he was, so far as he saw that either of them had hold of any portion of the root of the matter.

It was in vain, however, that any one attempted to draw from him a decisive committal beyond what he chose to make unprompted. There comes to my mind a scene which has often pleasantly revived in me the impression of his calm reticence. In the heated excitements of our political field in the presidential canvass of 1856, on the eve of the election, when three candidates had their respective champions and parties, and we were told, as usual, that the fate of the nation was hanging on the issue, I chanced to be talking quietly with him on other matters, in a corner of Little & Brown's bookstore. A customer coming in, an ardent and inflamed party-man, espied the Doctor, and moving up to him began in fervid and tremulous tones to talk of the crisis impending and how deep was his anxiety. The Doctor sympathetically made stiff and stern the recent genial play of his features, and answered: "Oh! very, very critical!" Our third party, thinking the feeling manifested might warrant his going a little further, — it proved to be a good deal further, — abruptly put the question: "Doctor, which of these three shall you vote for?" The Doctor had recourse to his familiar habit of manipulating and rubbing his sleeve, doing it this time very hard, as if to develop full electricity for the effort, and with the most solemn gravity of tone and emphasis replied: "I've been thinking of that myself!" "So have I," said his questioner; and, having seen so sternly grave a look, he thought he had got an answer, and bowed his leave.

I do not know whether any of you in this hall to-day will recall a most characteristic discourse which he delivered in the round of his pulpit exchanges. I heard it myself in the college pulpit before he was a professor, and while he was still a parish minister. The discourse was the subject of much lively and critical comment. It was at a time when the strife between the reformers and the conservatives, so called, was very ardent in this region, and engaged all preachers and speakers in their vocations, and the rest of the community in watching them. If a reformatory measure was right, as directed against a giant iniquity, should it not be pressed at once unflinchingly, even if the consequences foreboded from so pressing it without caution or hesitancy threatened to be disastrous? The text of his discourse was Prov. xiv. 12: "There is a way which seemeth right unto a man, but the end thereof are the ways of death." He began by setting forth the majesty and sanctity of the right. It was ordained of God, was always to be revered and obeyed, never to be trifled with by timid fears, or by calculating risks, or by forecasting results. With emphatic and solemn tones, in sentences laden with simplicity, yet with ponderous import, the preacher urged that, having once made sure of what was *right*, it was to be loyally and trustfully dared and done.

There were glances, nods, and looks of approval on radical faces, signifying: "We know where the preacher stands now. He is on our side." That sermon, however, had two distinct parts, made by a division running through it; and the latter half was introduced by a distinctly pronounced "*But*." The purport of it was that sometimes, and on some most serious and vital issues, it was only by taking probable *consequences* into view that we could form an intelligent opinion as to what was right in any course of action. The conservative faces here brightened, and, as the services closed, probably those whose sympathies were on either side concluded that the preacher had given them all alike something to think of.

Without putting into any secondary position, on the scale of his great gifts as a preacher, the marvellous force of his simple, logical, and most effective style of writing and expressing clear and strong thoughts, we must refer his power in the pulpit largely to the manner and emphasis of his delivery, that would have made even commonplace interesting and impressive. I acceded to his pulpit cushion, and I know of what I speak. He would work severity into his brow and sternness of expression into his mild features, and ply, not his fist, but his half-open hand, in driving and clenching his arguments. His favorite rivet for uniting his arguments was the word *besides*.

These impressive qualities of his style, delivery, and emphasis,

were the mellowed deposit of an over-fervent and even violent and fierce manner of writing and preaching, characteristic of the early years of his professional life, at a time of sharp controversy in his religious fellowship. That period of strife was short, but it was marked by much personal bitterness and social disturbance. He threw into it his strong convictions and his zeal of championship; and his word, always with power, was at times heated and harsh. I recall an incident associated with this library, as I stood on this spot, and he was seated by my side, which is so beautifully illustrative of the gentleness of his maturity and of the candor of his self-judgment, that I will relate it. When, in the year 1858, the Society came into the possession of the voluminous manuscript journals of the venerable Dr. Pierce, of Brookline, that devoted chronicler of all that related to the College, it being known that there were many personal details and criticisms in the volumes, a committee was charged with the examination of them to report upon their disposal. I made that report, recommending, for reasons, that the volumes for a period of years to come should be placed under lock and key in our cabinet. As I sat down, Dr. Walker whispered in my ear the question, "Is there any thing in them about me?" To my reply that there was, and his adding that he would like to see it, I put into his hand this volume, opened on the entry of February 10, 1819, where he read as follows: "To Charlestown, to the dedication of the new brick meeting-house. The sermon, from 2d Corinthians, x. 7, was preached by the minister, Mr. James Walker. It was a defence of himself, and liberal Christians in general, against the aspersions cast on them by their opponents. It was written and delivered in a very energetic manner. The temper and spirit of the discourse appeared somewhat similar to the late Dr. Mayhew's. I should judge that the sermon was adapted rather to enrage than to conciliate opponents." As our friend returned me the book, he whispered with the calmest intensity, as if it concerned anybody other than himself: "It's all true, all true, every word of it."

But, even in his early work as a controversialist, there is no trace of any of the arts of misrepresentation or malignity, which we have too well learned to associate with sectarian strifes. He was never capable of such enormities. He was concerned only to maintain the ground of and the right to hold opinions reached in the free and right use of the powers given to man for discovering the truth. He learned in the trial of his own abilities that the best sort of disciples are won, and the worst sort of opponents are resisted or conciliated, by the force of gentleness.

When the so-called "spiritual manifestations," through mediums and *séances*, were a novelty in this community, several of his friends engaged very earnestly in efforts to win his interest and attention to them. One friend, as he told me, even assured him that he would doubtless make a most effective medium himself, and was bound to use his latent capacities of that sort for the benefit of his fellow-men. Others could not but feel that he was rather an unpromising subject for any thing of the kind. But he found amusement in the reports brought and in the importunity engaged to enlist him. I went with him on three occasions to such *séances*, in no more hopeful a mood than he was. One could see, by a sort of roguish expectancy, but ill-disguised by the gravity of his brow, that he was looking rather to the fun of the thing than for any Pythian illumination. The "manifestations," indeed, stood a poor chance when scanned by the eyes that were set in his forehead and by the thinking which went on behind it. The "spirits" made a marked failure of it on each occasion, and I must say that he rather enjoyed their discomfiture. Indeed, any delineation of the character of this most genial man would be defective that failed to recognize the deep and rich spirit of humor, almost of a boyish rollicking, that was in him.

How radiant and delightful he was in his private confidences, and often in the social group! What a wonderful range and variety of expression could play over the features and motions of his countenance and mien! He was never subject to moodishness or depression. He had no melancholy retrospects, except as sadness tinged the vacancies that multiplied with his lengthening years. With all his thinkings and reasonings, he had studied himself into, and not out of, that strong and cheerful religious faith which is the best blessing of life as it passes, and the only welcome and sufficient solace at its close.

The Chairman next called upon President ELIOT of Harvard College, whose relations to Dr. Walker for the last few years had been most intimate. He spoke of his exalted wisdom, his great administrative qualities as President of the College, and his interest in young men.

Mr. Eliot was followed by Dr. PEABODY, who said,—

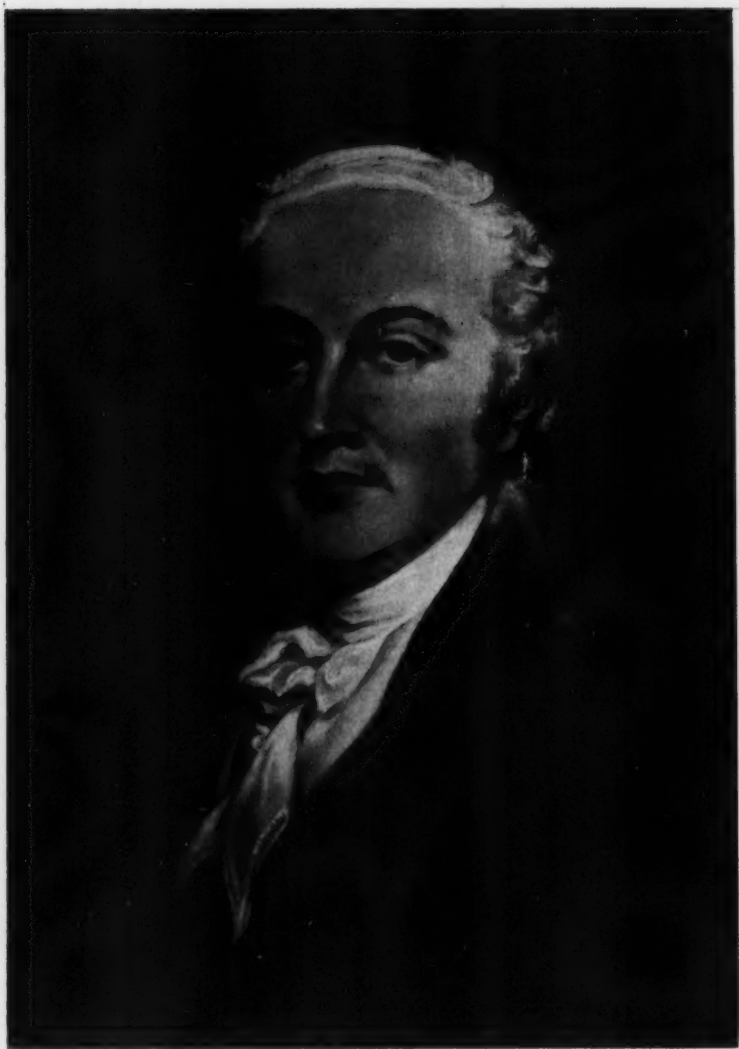
MR. PRESIDENT,—It was not my happiness to be, at any time, officially associated with Dr. Walker; and I, therefore, shall speak of him solely as a preacher. The early portion of his ministry was a season of theological controversy, in which, though by nature and principle a lover of peace, he was com-

pelled to bear a part; and it was a bold, manly, and honorable part, — in reasoning, not in invective, — in logical and forceful statements of his own views, not in personal attack or rejoinder, — and, especially, in the vigorous maintenance of the duty, even more than the right, of free inquiry, and the right of unmolested utterance and profession. Yet services of this sort were not his chosen work.

His preaching was, for the most part, practical; not, however, in the sense in which that much abused word is frequently employed, to denote the exhibition of feeble commonplace and stale sentimentality, — a hash of Poor Richard's Almanac, with a slight seasoning of Christianity. With him, practice was inseparable from belief and conviction; and practical preaching was that which drew its precepts and sanctions from the very bosom of God, from the absolute, immutable, and eternal right, and which addressed itself to the infallible conscience, — the God in man. He thus probed the hearts of his hearers; instead of propounding maxims, he implanted principles, and laid the foundation for Christian morality in Christian piety. Trite truths were thus made by him intensely impressive, because his hearers had never before traced them to their source and followed them to their issues. It was his wont, not infrequently, to select for his subject some principle so obvious as to be doubted by none, and yet so familiar as to have lost its place in men's serious regard; to state it in a paradoxical form, thus drawing attention to it as to what had never been heard before; to vitalize it with all the energy of his profound thought and earnest feeling, and thus to deposit it as a moral force, thenceforth constant and efficient in the hearts and lives of his receptive hearers.

Ethical preaching like his has been heard from no one else in his generation. Very many there are who have owed to him the sovereignty of law and right over their whole lives; and many have been his single discourses which have been rehearsed years and years afterward, as having created epochs in the moral history of their listeners.

This pre-eminence he attained at a very early period in his ministry, and it remained his to its close. I well remember him, when, in my boyhood, he often exchanged pulpits with the minister of my native parish. There were then the simplicity of statement, the closely compacted argument, the profound solemnity of appeal, the forceful majesty of utterance, and the air of one who forgets not for a moment that he stands as an ambassador from God to man, which have been so deeply felt by those who have listened to him in later years.



Heliotype.

James R. Osgood & Co., Boston.

CHRISTOPHER GORE.

Governor of Massachusetts 1809-1810.

From the original portrait in the possession of the Massachusetts Historical Society.



Mr. WATERSTON, an old acquaintance of Dr. Walker, also paid a warm tribute to his memory.

Mr. WHITMORE communicated the following paper on "The Payne and Gore Families."

The following account of the Payne family is copied from a manuscript book now in the possession of Mrs. Lucy P. Weeks, which is perhaps unique in its history. The book was bought in Hamburg in 1660 by Tobias Payne, who brought it to Boston. He wrote in it a record of his travels, and in each succeeding generation some one has continued the record.

It has seemed worth while to print the early part without abbreviation, and to add a few notes explanatory of the family connections. As this brings into our limit the family of Governor Christopher Gore, it has been decided by the Publishing Committee to have a heliotype made of the portrait of that distinguished member of the Society, which will be found herein.

Though this communication contains more genealogical detail than is usual in the pages of these Proceedings, it is to be remembered that, owing to the deficiencies of the Boston records, the facts herein given cannot be elsewhere found.

A short abstract of the Course of my Life. T. P.

I was Borne in the parish of Fownhope¹ in the County of Hereford, my father being named W^m. Payne, and my grand-father Tobias Payne, whoe lived in the parish of Kingscaple in the sayd County, but was Borne at Barkley in the County of Glocestre where his ancestors had lived. In the yeare, 1640 I was put to schole to lerne English, and there continued untill 1645, when I spent some tyme to lerne the rudimints of lattyn and to Cyfre; after which tyme untill the yeare 1648, I remayned with my grandfather: but God Almighty at that tyme taking him out of this world, I returned to my father at fownhope, where I remayned untill the later end of the yeare 1649. But haveinge noe Employment was not satisfied with that course of life, soe desired him to place me in London; whereupon he sent me there with an entru'son soe to doe: but that faylinge I returned into the Cuntry agayne. However the next yeare A^o 1650, I went for London agayne and applied my selfe to my uncle Richard Bridges, with hopes to finde out some place, but could not doe it to our Content; however rather then be Idle, he lett me remayne with his uncle Alderman Adams, from whom I might depart at pleasure; soe betoke my selfe under him to recieve his rents, keepe his cash &c.

In the yeare 1651, the Alderman departed with his family for Elsenham in Essex where wee lived that sommer, and returned against the

¹ Fownhope and Kings-Caple are parishes in Herefordshire, about three miles apart, and lying south of the city of Hereford some six miles. From the facts here given it would probably be easy to trace the ancestry of Tobias Payne.

winter to London agayne. Haveinge remayned with the Alderman 3 yeares, viz. untill the end of the yeare 1653, (in which tyme I studied french and made a beginnunge in Spanish, as also bettered my self in wrighting and Arithmetique), when I understood from his sonn-in-law Mr. W^m. Christmas, that his factor, Mr. Richard Twyford, in Hamburg, had occasion for an aprentize. I thereupon acquainted Mr. Christmas that I was not mynded to remayne any longer with the Alderman, and had likewise a desire to see some forreigne parts. Soe with the help of my uncle Bridges, agreed with him, viz. to pay the sayd Mr. Twyford 200 ster^l. ready money, and to serve him 8 yeares, as alsoe that my uncle should stand security in a Bond of 1000^l for my faithful service. Soe in the beginnunge of January 1654, I toke leave of the Alderman &c. and sett forwards my Jorney for Hamburg; first for Gravesend, thence with the Paquett boat for Dunkerke, and soe through flanders, Brabant, Zeland, Holland, East and West friezland, dukedom of Oldenburg, Bishoprick of Bremen and Holstein; and soe through God's mercy, I arrived safe at Hamburg in the later end of the sayd month of January, in which I saw these Cittyes and places following, viz. Dunkerke, Mardike, Ostend, Vern, Bridges, the fort S^t danasin, Sluce, flushing, Medilburg, Trevees, dort, Rotterdam, delft, Leyden, Amsterdam, Harlengin, Lewarden, Groningen, delfshill, Embden, Apen, Oldenburg, delmenhurst, Bremen and Stade.

Soe cominge to Hamburg, I aplyed my selfe to my Mr, and was presently bound to him (the 200^l being paid by his order to Mr. Robert Christmas, and the bond for my faithfull service entered into by my Uncle), whereupon I entered his service; and was in few dayes after sent by him out into the Cuntry to Hanover, for to lern the high dutch or German language: where, after I had remayned 4 months, and made an Indifrent progress, was (in regard of business) called home agayne; in which Jorney the only noated things I saw were the Prince of Hanover and Prince of Zell's Courts.

Returning to Hamburg, I betoke me to my Employment, and the ensuing Winter, my Mr. haveing occasion for England, departed thither, and left me alone in the business, which I managed till his returne about 3 months after, and then delivered him all things to his good Content. Not long after I was sent to Bremen to get in some old debts, and returned thence in 6 weekes, Continewinge in my business untill March, '56., at which tyme I rec'd the sorrowfull news of my father's decease; soe desired leave of my Mr. to returne into England for to settle something that was fallen into me by his decease; which I obteyned, and in the month of May departed ham^e in our Company's ship, Cap^{tn}. Edm: Green, Mr., and had a verry sudayne passage for London, from whence after a short stay I departed into the Cuntry, where dispatchinge my business, I returned againe for London: and toke my passage in Cap^{tn}. James Talbot, one of our Comp^y ships, for dordrecht in Holland, where by God's mercy wee arrived in few dayes.

From thence I went over land for Hamburg, viz. through Gelderland, Westphalia, &c. and saw in my Jorney, Harlem, Nareden, Amrefort, Swoll, lyngen, Welshuisen, Bremefurt and horneburg, &c Soe returning

to Ham^e thanked God for his Continewall preservation of me, and fell agayne to my business, in which I remayned untill the yeare 1657, when understanding from my friends that my presence in England was verrey needfull, as to the disposeinge of some lands fallen unto me by the death of my father, I obteyned agayne leave of my Mr. to returne thither, and in the month of Aug: sett forwarde by land for Holland; in which passage, besides what formerly mentioned, I saw these following places. doemin (?) Bolsworth, Workum, Enkusen (where I had the honor to sup with 2 of the states gen^t viz myn h^e Marode and myn h^e de Vett) and Armuyen. Att Flushing, with some other passengers, I hyered a small vessel, and in 24 howres wee arrived through God's mercy in safety at Gravesend; and from thence to London, where I found the Comp^a shipp, Capt. Edm: Green in a readinesse to depart for Hamburg.

Soe after 14 dayes stay in the Citty I departed into the Cuntry and remayned there 3 weekes, in which tyme I effected my business, and returned agayne for London, where I understood that Capt. Green lay wind-bound in Guinborough road. Soe I presently departed London in a payre of oares, and after much danger came aboard of him there, and in a day or two after had a fayr wind, which brought us in a short tyme to Ham^e.

Cominge thither I fell agayne to my business, in which I remayned untill the year 1658, and then in February was sent out by my Mr. to gett in some debts in the Cuntry, in which Jorney I passed through the dominions of the dukes of Brunswig and Luneburg, as alsoe of the Elector of Brandenburg and Bishop of Collen; and saw (besides what formerly mentioned) the following places: Brounswig, Luneburg, Hildisheim, Bocklam, Saltsdetford, and Lambspringe, a monastrey of English Benedictines where I was moast civilly Entertayned for the space of 2 or 3 dayes, by the Lord Abbote Placidius Gascon, and the rest. Soe returning to Hamb^e fell agayne to my business. In the month of November in this yeare 1658 my master's business callinge him agayn for England, he departed thither and lefte me the management of his affayres here, which I performed to his Content untill his returne, which was in the month of March 1659. In the month of July followinge I was agayne sent into the Cuntry to gather in moneys, and saw (besides what formerly mentioned) Mynd, Lemgo, Flote, Neyenburg, Veerden, Veerden Sconce, Jeance and Neystatt. Soe returning to Hamb^e in November afterwards, my Mr. presently departed for England, and left me agayne alone in the business which I managed untill his returne, which was in May following, A^o 1660, and then dd. him all things to his Content. In the month of January 1662 my Mr. went agayne for England and left me the last tyme in his business: about the later end of March he returned agayne. Soe my tyme being expired, I delivered him all things to his Content, and with satisfaction on boath sides departed his service, receivinge of him the Bond of 1000^l which my uncle had entered into for my fidelity, which I returned for London cancelled, with due acknowledgments for his love.

Hereuppon I beginne the management of my owne affaires and the servinge of some friends in Comission, in which employment I con-

tinued untill the yeare 1664, and then upon the 20th of Aprill I left Hamburg, and departed by land for England; in which Journey I saw besides what formerly mentioned, these Citties and places following, viz Hinlopen, Molguern, Standen, Horn, Edam, Mopiskedam, Tertolen, Antwerpen, Brussells, Alst, Gends, Ostend, the miraculous church of our Lady of Laken by Brussells, the Prince of Orange's house of Risewick and in the Bush by the Hague Wininbergen, Burburg, Greneling and Callis, from whence I toke my passage in the pakquett boate for dover, and the 24th of May arrived, God be thanked, in safety at London. I saw alsoe in this Journey (which are omitted above) Mauritius fort, Nassaw fort, Salter fort, Klunder fort, Hogerwerft fort, the small city of Sandfliet, Frederick Henry fort, Hulst, Bergen vp some, Lillo fort, gentz fort, Lieskineo hock fort, all belonging to the hollanders upon the frontiers of Brabant; as also the Phillip fort, the Mary fort, the perle fort, S^t John's fort, Issabella fort, belonging to the Spanyards by Antwerp, together with the Nassaw and Orange forts there belonging to the States.

Arrivinge at London as aforesad, I applied my selfe to some members of the royall Comp^y whoe had Invited me over to undertake an Employment in their service, which after 2 or 3 treaties were concluded upon, viz to goe first to Barbados, and there to reside in Comission with Mr. Peter Collison and Mr Thomas Modyford untill Mr. Reid arrived there, and then to goe downe unto Jamaica in Comission with S^t Tho. Modyford &c. Soe upon the p^m Sept^r. 1664, I depted from London for Gravesend where I lay till the 5 ditto and then Embarked my selfe upon the Concord, Capt. James Strutt, Mr. for the Barbados lying then in the Hope, 14 gunnes, 250 tunne, 22 seamen and about 65 passenger. The 6 ditto in the name of God we weighed anchor thence.

[We omit the log of the voyage, it being of no interest. On Sept. 14 they lost sight of England, and arrived at Barbados Oct. 16.]

The 16th in the morninge wee were hard by the land and about 8 a Clock cast anchor in Carlisle Bay, and soe went on shoar at the Indian Bridge or S^t Michael's towne, Givinge God thanks for our prosperous passage, and his mercifull preservation of us. Our voyage from the downes was 32 dayes, in which tyme wee sayled by computation, comparing the logg and observations, about 4000 miles.

Some tyme after I had resided in Barbados, I had a Ballance and Inventory of the royall Company's concernes delivered unto me, which I posted into a new payer of Bookes and sent them copies of all unto my deliveringe over the sayd Bookes unto Mr Thomas Colleton¹ and Mr. John Reid, which was in the month of December 1665, and then receiveing a l^{re} from the Comp^y with ord^r for my goeing downe to Jamaica, I Embarc'd the first opertunity; which was the Oporto March^t, Capt. James Alford comand^r, designed thether with 500

¹ Mr. Thomas Colleton, according to BURKE, was son of Sir John C., the first baronet of the name, a title still existing. Sir John was a large proprietor of lands in America, and three of his sons married in Barbadoes.

negroes. In which shipp I Embarqued my selfe the 21 Xbre, being thursday.

[We omit the log of this voyage also.]

January 1665-6. Fryday the 5th about 3 a clock in the afternoone, we came to an anchor in the Harbour of Port Royall; for which God be prayed. Our Voyage was 16 dayes and very troublesome, in regard wee were pestored with soe many negroes, and feared an insurrection. The next day I wayted upon his Excellency, S^r Thomas Modyford,¹ Governor at S^t Jago de la Vega, and soe fell to assistinge in the Company's business; wherein I continued untill the begininge of October 1666, at which tyme the Comp^y ordered S^r Thomas (in regard the Contract with the Spanyards went not forward) to reduce the factory to two p'sons only; soe he was pleased to make choyce of Mr Hendee Molesworth and my selfe, outinge Mr Lewis and Mr. Reid. But presently after it pleased God to visit me with Sickness, and the advise of my D^r was, that in case I removed not to an other clymate, might run a great risics of death or a tedious sickness.

Soe I petitioned S^r Thomas that he would discharge me of the Company's service, which he accordingly did under his hand; whereupon I delivered up and cleared my accounts, and the 12th September sett sayle from Jamaica in the Friendship Catch, burthen 25 tonne, Tho: Jenner Comander, bound for New England.

[We omit the log of this voyage also; the vessel had many passengers, and was poorly supplied with provisions, but arrived safely October 22.]

October the 21th wee made Cape Codd and met with a Catch outward bound, but could not speak with her, havinge a Calme. Wee saw heerabouts many whales, Penguins, and other sea-fowle. The 22th wee came up in sight of the Islands before Boston, but the wind veeringe to N. W. were forced back and put into Plymouth.

The 23th October wee went on shore there and hyred horses for Boston, being 40 myle of, where wee arrived the 25th ditto, for which blessed be Almighty God whos hath hyn pleased to preserve me hitherto out of all knowne and unknowne dangers, *and to a good wife.*

[Here the record ceases, and another hand takes the pen, and continues thus:]

"William Payne, the only child was born January 22^d. 1669 on a friday morning, and after scholing went to Colledge Anno 1685, where I remained 4 years, then lived with my father Rich^d Middlecott two years, to keep his Warehouse: Anno 1692 I went for England and returned the next year to merchandise; but meeting with continued losses I gott my L^d Bellamont's comission for the Impost, anno 1698, for D^r Collector 1699. In which post I continued to the year 1710.

¹ Sir Thomas Modyford, Bart., was Governor of Jamaica and made a baronet in 1664; but the title became extinct in 1703. His brother, Sir James, was also Governor of Jamaica, also made a baronet, and d. s. p. in 1675. — BURKE.

Oct 1694 I was married to Mrs Mary Taylor by whom I had four children.

William Payne	born	Nov ^r 25	1695
Tobias	"	"	June 25 1697
Sarah	"	"	Jan ^r 1699
Mary	"	"	Jan'y 6 1700

On the same day, Jan'y 6th. 1700 my wife dyed in childbed and in May 12, 1703, I was again Married to Margaret Stewart by whom I have the following.

Sarah Payne	born	June 15,	1704
William Payne	"	Sept. 19,	1706
William Payne	"	Jan'y 26,	1707
Edward Payne	"	Mch: 17,	1708
Ann Payne	"	June 8	1711
John Payne	"	Feb. 9	1712
Edward Payne	"	Oct 1,	1714
Margaret	"	May 22,	1716
Richard Payne	"	April 4,	1718
[Thomas Payne	"	April 23,	1720
Edward Payne	"	Feb 4,	1721
Jane Payne	"	Feb 17,	1723.]*

[A new writing here begins, that of Deacon Edward Payne, grandson of the emigrant.]

Boston, Feb. 4th. 1744-5.

The foregoing account of my grandfather's Life and Family continued down to this day, p. EDWARD PAYNE.

Tobias Payne, my Grandfather arrived at Boston from Jamaica the 26th Oct. 1666; from whence he intended to proceed (as soon as he had recovered his health) to the Island of Madeira; but finding this Place so encouraging to Trade, he soon resolved to tarry here; accordingly in November following he was married to Mrs Sarah Standish, widow of Cap^t Miles Standish, to whom she was married in 16—, and with whom she lived but about — months. She had no children by him; he sailed hence for England and was never heard off.

Her maiden name was Winslow, daughter of Mr John Winslow of Boston, Merchant.† She had 5 Brothers and 4 Sisters viz

John Winslow
Edward Winslow
Samuel Winslow
Isaac Winslow
Joseph Winslow

* These three names and dates are added later, evidently by the son Edward.

† Son of Edward, Gov^r of Plymouth; he married Miss Chilton the first European Woman that landed in this Coast. Gov. Winslow had 3 sons, John, Kenelm and Edw^d. General Winslow was son of Edward. — *Note in original.*¹

¹ This foot-note requires the addition of a few words to make it all right. It should be "son of Edward [and brother of Edward jr.] gov^r of Plymouth. [Edward Winslow Sr. father of Gov. W. had three sons, [this] John, Kenelm and Edward. General [Josiah] Winslow was son of [Gov.] Edward." This

Her eldest sister was married to Mr. Laitham; another was married to Mr. Grey; whose daughter married Mr. Leblone. A third married to Mr. Southward: a fourth was married to Mr. Little.

My grandfather had one child by her, viz, my father William Payne; he was born the 22^d Jan'y 1668; after which my Grandfather liv'd but about 8 months, and on the 12 Sept^r 1669 he departed this Life.

Anno 1672, my Grandmother was again married to Mr Richard Middlecott, Merchant, son of Mr Middlecott of Wormister in England. He lived with a merchant in Bristol; after his time was expired he came to N. E. and settled here as a Merchant. She had 4 children by him.

Mary Middlecott	born 1673	[1 July, 1674] ¹
Sarah do.	..	1678 [2 June, 1678]
Edward do.	..	1680
Jane do.	..	1682 [16 Sept. 1682]

June 13, 1704 Mr Middlecott died, and left her again a Widow (with 5 children) which she continued untill her Decease, being the 10th June 1726.

MARY MIDDLECOTT her Eldest Daughter was married about Anno 1696 to Mr Henry Gibbs,² son of Councillor Gibbs of Barbadoes, by whom she had 3 children born here, viz,

Sarah Gibbs
John Gibbs
Henry Gibbs

After which, Anno —, Mr Gibbs went to Barbadoes to settle his affairs there, and intending to return and settle here; but his father dying while he was there prevented it —. He sent for his Wife to come there to him which she did, but left her two Eldest children behind with my Father: soon after her arrivall there Mr Gibbs died.

makes it correct, though Mr. Payne had evidently confounded Edward, Sr. who never emigrated, with his son Governor Edward. This manuscript is another authority for the claim of Mary Chilton to be the first woman who landed on our shores. See SAVAGE *s. v.* WINSLOW; he counts only nine children, three daughters and six sons, adding Benjamin, not given above. We know by Bradford that there were ten children, and this account of five daughters and five sons agrees therewith. We must therefore leave out Savage's Benjamin, and add Mrs. Southward and Mrs. Little.

¹ These three dates in brackets are added from SAVAGE, who, however, says the widow died in 1728. He states that Edward came here with his father, not that he was born here in 1680. Mr. Richard Middlecot was a man of importance, a Councillor named in the Second Charter, &c.

² "Henry Gibbs, son of Councillor Gibbs of Barbados." We had here in Boston a family of Gibbs beginning with Robert, who was father of Rev. Henry G., minister at Watertown. This Robert was the fourth son of Sir Henry Gibbs of Honington, co. Warwick, Eng., and his brothers were Thomas of Honington, Henry of Halford, Ralph of Whaddon, and John of Virginia. This John is otherwise called of Barbadoes. In Hotten's "Original Lists of Emigrants," p. 469, we find that in 1678 there were living in the parish of St. Andrew's, Barbadoes, Lieutenant Basil Gibbs, who owned 45 negroes, and Captain John Gibbs, who owned 93 negroes. John Gibbs of Christ Church parish owned 10 negroes.

Anno 1702 she was again married at Barbadoes to Othaniel Haggat, Esq. by whom she had 4 children born at Barbadoes, viz

Othaniel Haggat
Nathaniel do
Mary do
William do.

She lived at Barbadoes till June 1718, when Mr Haggatt his Wife and the three youngest children took their Passage in Capt. Spencer for Boston, to vissitt her Relations here: but she was depriv'd of that Pleasure, for about 8 days before their arrival, she dyed in the 45 year of her age. The next year Mr Haggatt return'd to Barbadoes, and took with him

Sarah Gibbs
John Gibbs
Mary Haggat

Anno 1702 SARAH MIDDLECOTT was married to Mr. Lewis Boucher,¹ who came from ——— in France, and settled here as a merchant, by whom she had 6 children, viz

Ann Boucher	born April 1703	
Sarah	" Sept. 1705	
Mary	" 1708	} these three all died very young.
Mary	" 1710	
Lewis	" 1713	
Jane	" May 1716	

He sailed hence for England anno 1715, and was never heard of more.

EDWARD MIDDLECOTT lived with his Father to learn Merch^t till anno ———, then went for England where he purchased his Father's Life in an estate at Wormister of £300 pr. ann. which was entailed to him by his Uncle. He married the only Daughter of ———, Anno ——— by whom he had one child, viz Edward Middlecott, born at Wormister, anno ———.

JANE MIDDLECOTT was married anno 1702, to Elisha Cooke,² Esq., of Boston, by whom she had 10 children, viz

Elisha	born 1703, died young.	
Middlecot	born 1705	
Elisha		} these four died very young.
Elisha		
Jane		
Jane		
Elizabeth	Feb. 1708.	
Sarah	April 1711.	
Jane		died young.
Mary	1723.	

¹ The name of Boucher is uncommon here; but Drake mentions Thomas B. in 1742, as a member of the First Baptist Church.

² Elisha Cooke, jr., was a prominent citizen, representative for Boston, served as Councillor 1717, 1724, 1725, 1726, 1728, negatived in 1718, chosen Speaker 1720, negatived, and the House thereon dissolved. His father, Dr. Elisha Cooke, was even more prominent in our local politics. Hutchinson, ii. 211, speaks highly of him, and thanks his grandson Middlecot Cooke for the use of valuable papers.

Anno 1737 August 24, Mr Cooke departed this Life aged 59. Sept. 1743, my aunt Cooke departed this Life aged 61.

Sarah Gibbs, my couzen went from here to Barbadoes with her Father-in-law, Mr Haggat, anno 1719, where she married Mr. Scott.

My couzen *John Gibbs* continued with my father till anno —, after which he lived with Mr Jeffries to learn Merch^t accounts till anno 1717 or 1718, and in 1719 he went to Barbadoes with his Father-in-Law, Mr Haggat, where he ended his days anno 1720, a Batch.

His Brother, *Henry Gibbs*, went to Barbadoes with his Mother, anno — and in a few years returned to my Father to be Educated here; he also lived with Mr. Jeffries to learn Merchants Accounts till anno —; then he went to Barbadoes where he married M^r — by whom he had — children. He died there anno —.

My couzen *Othaniel Haggat* went from Barbadoes for England, in anno 1717, to be brought up in the University there: after which he returned to Barbadoes and married his mother in law's eldest daughter, by whom he had — children; was one of the Judges of the Island. He died there anno —.

My couzen *Nathaniel Haggat* came to Boston with his Father anno 1718, and continued here with my Father till anno —. Then went for England in Capt. Durell, and from thence to the University at Dublin, where he continued till anno — after which he went to Barbadoes, and married his mother-in-law's youngest daughter, by whom he has severall children, and with whom he now lives at Barbadoes where he is one of the Judges.

My couzen *Mary Haggat* returned to Barbadoes with her Father, and from thence went to her Aunt — at Bristoll, where she now lives a maiden.

My couzen *William Haggat* came to Boston with his Father, 1718, and continued here till anno — when he went for England with his brother Nathaniel, and from thence to Dublin: after which he entered into Holy Orders, is settled at Barbadoes where he now lives, and is married to —.

My couzen *Ann Boucher*, daughter of my Aunt Sarah Middlecot, was married in Sept 1721 to Mr. Nathaniel Cunningham of Boston, Merchant, by whom she had 8 children, viz

Nathaniel 10 April 1725

Ann

Ruth 15 Jan'y 1728

Sarah 6 Sept 1731

Timothy

She departed this Life the 31st March 1736.

Sarah Boucher was married in Oct. 1729 to Mr. John Foye of Charlestown, Merchant, by whom she had 6 children, viz

Sarah Foye born 2 Jan'y 1731

Ann Sept 1733

John Sept 1734

Elizabeth Dec. 1735

Ann Apr. 1737

Lewis Jan'y 1738.

Jane Boucher now lives a maiden.

Middlecot Cooke, son of Jane Middlecot, my Aunt, now lives a Batchelor.

Sarah Cooke, daughter of ditto was married in May 1733 to Mr John Phillips of Boston, Merchant, by whom she had 5 children, viz

Elisha Cooke	Sept 1733
John	April 1735
William	Aug. 1736
Thomas	Oct 1737 died Feb. 1741
Mary	May 1739 died Oct. 1741

She departed this life 11th. July 1740

¹ *Mary Cooke*, the youngest Daughter, was married the 3^d July 1744 to Richard Saltonstall, Esq^m of Haverill.

The foregoing account of my Grandmother's children by Mr. Middlecot being compleated, as far as its necessary for my Purpose, I shall now say something of my own Father, William Payne, the only child of my Grand-Father Tobias Payne.

He was born the 22^d January 1668, about 8 months before his Father's Death; in 1685 he went to College, where he continued until 1689. After which he lived with his Father-in-Law Mr Richard Middlecot to learn Merchants Accounts, till 1691. He went for England in 1692 and returned the next year to merchandise, but meeting with continual Loss, he apply'd himself to Publick Business, and in 1698 rec^d a Commission from Gov^r Stoughton for the Impost. In 1699 received a Commission from my Lord Bellomont for Collector, in which Office he continued till 1710. In 1714 he had a Commission from the Council for Sherrif of the County of Suffolk. In 1715 he had a Commission from Gov^r Tailer for ditto. In 1716 he was Commissioner of the Excise, after which he was in no Business at all, but lived on the Income of his Estate untill his decease, which was the 10th of June 1735 in the 66th year of his age, Leaving a Widow, three Sons, five daughters, one daughter in law, a widow, and five Grand Children all Living.

In Octo^r 1694 he was married to Mrs. Mary Taylor, daughter of James Taylor, Esq^m of Boston, who died in Child bed, the 6th Jan'y 1700. By her he had four Children, viz

*William	born Nov 25, 1695
Tobias	„ June 25, 1697
*Sarah	„ Jan'y, 1699
Mary	„ Jan'y 6, 1700

In May 1703 he was married again to Mrs. Margaret² Stuart, an Orphan, the only child of William and Margaret Stuart of Ipswich: her mother was the daughter of a Dissenting minister in Yorkshire in the reign of King Charles the Second, whose father and mother dyed when she was young, which occasioned her going to Live with her

¹ Mary Cooke m. Richard Saltonstall. See Bond's Watertown, p. 927. Her son was Dr. Nathaniel S., father of Hon. Leverett S., through whom she has numerous descendants living.

² Her name was Anne, not Margaret, as the next note shows.

Sister in Limbrick,¹ where she was married to my Grandfather, Mr. William Stewart, of whom I can give no farther account then that he was a Scotchman and a good Liver. They both came to New England in 1684 and settled at Ipswich, where my Grand Father kept a shop till his decease, which was in Aug^r 1693. By him my Grandmother had one child, viz my Mother, Margaret Stuart, born in Limbrick in May 1683. After my Grandfather's decease my Grandmother was again married to Coll^o Gedney of Salem, Anno 1696, with whom she lived till her decease, being the 15th Oct^r 1697.

By her my father had 8 sons and 4 Daughters.

Sarah	born	June 15, 1704,	dec'd 1705
*William	„	Sept 19, 1706;	died
*William	„	Jany 26, 1707;	[-8]
*Edward	„	Mch 17, 1708,	died
Ann	„	June 8, 1711	
John	„	Feb 9, 1712	[-3]
*Edward	„	Oct 7, 1714	dec'd
Margaret	„	May 22, 1716	
Richard	„	Apr 4, 1718	
*Thomas	„	Apr 23, 1720	
Edward	„	Feb 4, 1721	[-2]
Jane	„	Feb 17, 1723.	

My eldest brother, William Payne, born 25 Nov. 1695 dec^d Feb. 1705.

¹ It so happens that John Dunton, in his "Letters from New England" (Prince Society, 1867) and his "Life and Errors," gives a little more information about Mrs. Stewart and her relatives. Dunton writes in his "Letters" (pp. 63, 76, 99, 262, 279, 282) and in his "Life" (p. 136) that he boarded in 1686 at Boston, with Mr. Richard Wilkins, opposite to the Town House. "He was formerly a Bookseller in Limerick, and fled hither on the account of conscience with two Divines, Mr John and Mr Thomas Bayly. . . . His person is tall, his aspect sweet and smiling, and tho' but fifty years old, his hair's as white as snow. He is a man of good sense, very generous to his friend, talks well, keeps up the Practice of Religion in his Family, and is now a member of Mr. Willard's Church." Dunton also praises his wife, Mrs. Wilkins, and has much to say about their only child, Comfort, who was then about twenty-six years old. Again (p. 262) he says that Mrs. Wilkins had a sister at Ipswich, and so he and Miss Comfort went down there on a visit. So they travelled to "Mr Stewart's, whose wife was Mrs. Comfort's own Aunt," and were hospitably welcomed. Of Mr Stewart he says, "As to his Stature 'tis inclining to Tall" and gives him a high character. Of Mrs. Stewart he says, "Her Stature is of a middle size, fit for a Woman . . . and when she was about 18, perhaps there never was a Face more sweet and charming; nor could it well be otherwise, since now at 33, all you call sweet and ravishing is in her Face."

It may be added that Richard Wilkins was admitted to residence in Boston 23 Nov. 1684, with William Stewart and six others. He was a bookseller here, was nominated for postmaster after the overthrow of Andros, and died at Milton, 10 Dec. 1704, aged 81. His name does not occur in our Suffolk deeds or wills. As Mrs. Stewart was only some seven years older than her niece, Comfort Wilkins, of course she was much younger than her sister, Mrs. Wilkins, which confirms the text.

By my notes to Dunton (p. 282) it seems that Mrs. Stewart was named Anne, not Margaret; and the text confirms my then surmise that Anne married Colonel Bartholomew Gedney. William Stewart of Ipswich had a good estate, his inventory being about £1,500. There can be no doubt that his wife was named Anne in several documents.

My brother Tobias Payne lived with my Father till he was 18 years of age; then went to sea with his Uncle, Capt. Christopher Taylor, with whom he sail'd about a year; and was taken by the Pirates: after which he resided some time at Barbadoes, where my uncle Haggat put him in Master of a Sloop. Some time after, he returned to N. E. and married M^{rs} Sarah Winslow, daughter of Kinelm Winslow of Marshfield, by whom he had one child, viz

Mary Payne, born.

He sailed hence as Captain of a Ship, till his Decease about the Virgin Island, anno 1733.

Sarah Payne.

Mary Payne was married in Oct^r 1724 to Mr. Jona. Sewall,¹ a Merchant, son of Maj^r Sewall of Salem, with whom she lived till his Decease, being in Nov^r 1731, and had 6 children by him, viz:

Margaret Sewall, 6 Oct. 1725

do

do

Jonathan do Aug 1728

do

Jane do Nov^r 1731.

My sister Sarah Payne was married the 26th Dec^r 1734, to Mr John Colman,² jun^r a Distiller, son of John Colman, Esq^{re} of Boston, with whom she now lives and has had 5 children, viz

Sarah Colman b July 1736.

John " " 18 Jany 1737 [-8]

William " Aug 1739

Benjamin " July 1748

William " Aug. 1744.

My brother William Payne dec^d May

ditto " the third, dec^d.

My sister Ann Payne now lives a Maiden.

My brother John Payne³ lived two years as an apprentice to Mr.

¹ This Jonathan Sewall was son of Major Stephen S., and therefore brother of Chief Justice Stephen S. Of the children of J. S. and Mary Payne, one was Jonathan, who became Attorney-General, m. Esther Quincy, was a strong Loyalist, and went abroad at the Revolution. He was long a friend of John Adams, and probably was reluctantly forced to take the side he did. He died at St. John, N. B., in 1796. His son Jonathan was Chief Justice of Lower Canada, and his son Stephen was Solicitor-General of the same province.

² This John Colman was nephew to Rev. Benjamin Colman, the well-known clergyman. (See Herald Journal, i. 58.) John, the brother of Rev. Benjamin, was one of the founders of the Brattle Street Church in Boston, to which Benjamin was called in 1699.

³ From the Council Records, as printed in my Massachusetts Civil List, p. 80, I can fill out a record of John Payne's appointment. July 14, 1749, John was appointed Register of Probate "in the absence of Andrew Belcher from the Province." Sept. 20, 1754, appointed for three months or untill the return of John Shirley, and again in the next January, for two months. March 23, 1755, he and John Cotton were appointed joint Registers, which he held doubtless till his

Jona. Sewall, viz., till his Decease; then he wrote in the Register's Office with Mr. Boydell, till his Decease, being 1740; after which he continued in said Office under Mr. Jona. Belcher, while he held said office, being ; then under Mr. Auchmuty while he held the said Office, being . Then under Mr. Belcher again, in which Place he continues at this day.

My brother Edward Payne, dec^d. June

My sister Margaret Payne was married the 7th Oct. 1741, to Mr. John Phillips of Boston, who was formerly married to my Couzen Sarah Cooke, with whom she now lives and has no children.

My brother Richard Payne serv'd seven years as an apprentice to Mr. Joseph Sherburne, to learn the Brazier's Trade.

My brother Thomas died a child.

Sister Jane now lives a maiden.

Edward, the youngest son, born the 4th Feb. 1721-2, lived as an apprentice with Mr. Benjamin Colman, Merchant in Boston, from April 1736 to May 1743. In Aug^t following opened a Store on the Long Wharfe at the desire of Brother John Phillips, who proposed to put a stock into my hands to Trade with on our joint accounts; but his stock being chiefly imploy'd in a Distilhouse with Bro^r Colman, he could not furnish me with the stock I expected.

In Nov^r 1745, I engag'd in the distilling Business with Bro^r Colman, who was then separated from Mr. Phillips; but finding our stock was not sufficient to carry on the Business to advantage, and that Bro^r Colman did not manage the distilling as I expected, I determined to quit that Business, and proceed on a voyage to Gibraltar. In April 1746, I purchas'd a Vessel in company with Mr. John Mascarene and others, which we loaded with Rum, Fish, Flour &c. and in June I sail'd for Gibraltar, where I arriv'd the 24th July, and soon after dispatch'd the Vessel back to Boston, with a Cargo of Prize goods, Wine and Fruit; but remain'd there myself to dispose of the Cargo, and purchase another against her return. This vessel called the ———, Davenport Walker, master, on her return to Gibraltar with another Cargo, had the misfortune to be taken as she enter'd the Straights. I then purchas'd a Brig^{de} called the Zant, put Capt. Philip Payne in Master, took some prize goods, and proceeded in her to Villa Nova in Portugal, where I loaded her with salt and some fruit, and return'd to Boston, where I arriv'd safe, 22^d April 1747.

In May, 1748, Mr Peter Chardon put 1000£ stg. into my hands to

death, as William Cooper was appointed with Cotton, Dec. 19, 1755. His will (Suff. Wills, iv. 285, new paging) was proved 23 Nov. 1759, dated 25 Mch. 1752, and, though not perfect through informality, was allowed for personal property. He gave every thing to his mother Margaret Payne, and therefore was probably never married.

The following obituary is from the "Boston Evening Post" for Monday, Nov. 19, 1759: "Last Saturday Morning died here after a short and violent illness, Mr. John Payne, a Gentleman of known Abilities in the several Offices he sustained, and remarkable for his unsullied Integrity. He was a Father as well as a Son to his aged Mother, and not only a Brother, but a Guardian to his Sisters. His Death is as justly as it is universally lamented."

be employ'd in the English Trade, for which I was to have $\frac{1}{3}$ ^d. the Profit in said Stock, and to have liberty to do my own business; but money growing scarce, and that Trade being dull, I did not continue long in it, and in Feb. 1752, I finished that concern and parted amicably.

In March 1752, I entered into copartnership with Mr. James Perkins of Boston, and engag'd to settle at Glocester, and to carry on a Trade there in the Fishery on our joint account: he put in a stock of 1000£ stg., and I to put in 500£ stg. The 22^d of this month I remov'd there, built a store and a number of fishing Vessels, and carried on that business; also a foreign Trade in which I succeeded beyond my expectation, built a Wharff and Fish flakes. In this business I continued to mutual satisfaction untill July 1761, when we closed our Copartnership and divided the Stock to the satisfaction of both Parties, and on the 1st. Oct. 1761, I returned to Boston after 9 years' residence at Glocester, which I esteem as the pleasantest part of my life, being advantageously employ'd in business, and enjoying a sett of agreeable acquaintance.

During my abode at Glocester I was married to Miss Rebecca Amory of Boston (daughter of Thomas and Rebecca Amory,* born the 25th. June, O. S. 1725, by whom I had 3 children born in Glocester, viz —

Mary	} twins, born Dec. 1, 1757
Sarah	
Rebecca	

The last five years I lived at Glocester we were at Warr with France, during which I had 2 vessels taken in Europe, on which I had no Insurance; and two in the W. Indies that were partly insured. In the course of the Warr, Louisburg was taken a second time, Quebec and all Canada surrender'd to the English the 8 Sept. 1760.

[Here end Edward Payne's notes, and his son William begins to write.]

"Boston Feb. 1799. The reasons my father did not continue the account of his family, I am unable to give, but as he did not, I shall; and intend to give an account of my relations on my mother's side. Will. Payne."

On 1 Oct. 1761, my father removed from Cape Ann to Boston, to a House in State st. (now so called) in which I was born on 18th. of July, 1762. On 11th. Oct. 1765, he had another son, who was named Edward, and who died on 31 Dec^r the same year.

My father continued to live in this House all the time untill his death, except the time of the Seige, when, being in favor of the Revolution, he left the town and lived at Medford and at Waltham. On 5th. March 1770 he was wounded in the arm by the British soldiers. Until the beginning of the Revolution he was concerned in the European trade and made money. On his return to town after the Seige he opened an

* "My grand mother Amory's maiden name was Holmes. W. P." — Note in original.

Insurance Office, and had most of the business of the town. He continued in this business untill his Death, which was on the 5th March 1788, aged 67.

This ended the Life of a man of good sound sence, one who was esteemed and beloved by all that knew him, and whose reputation as an honest man was unsullied. He always had a good opinion of the publick securities of the country, and invested all the money he could get, after paying the expences of his family, in them. He left \$80,000 Doll^a in publick paper, four Houses worth ———; the one in State St, he gave to me on the death of my mother, and 13,000 Doll^a in securities, which I then had.

On 11th Nov. 1783, my sister Rebecca was married to Christopher Gore, an attorney-at-law, of whom it is probable, I shall give a further acc^t when I give a history of my own life.

At the time of my father's death, my Mother was very unwell, and had been for 2 or 3 years; her disorder came on by a Malincolly, and deprived her of her reason, to which she was never perfectly restored. She died on 14th Feb. 1799, nearly eleven years after the death of my father. She was between 73 and 74 years of age. She was a woman of the most amiable disposition, beloved by every one that knew her.

My mother had three brothers and one sister:¹

Thomas Amory, who married Elizabeth Coffin and had 9 children, viz Thomas C. Amory, Rebecca Elizabeth, Nancy, Jonathan, John, Mary Nathaniel and William

Jonathan, married Abigail Taylor, and had not any children.

Mary, married Timothy Newell: they had not any children

John, married Katherine Greene, by whom he had ten children, viz., John, Rufus Greene, Thomas, Jonathan, William, Francis, Katherine, Rebecca, Mary and Nancy.

Thomas Amory died	Aug. 1784
Elizabeth Amory	„ 17 June 1822
Jona Amory	„ 25 Sept 1797
Abigail Amory	„ 12 Nov. 1802
John Amory	„ 4 June 1803
Katherine Amory	„ 22 April 1777
Timothy Newell	„ 18 April 1799
Mary Newell	„ 25 April, 1804.

I, William Payne, was an apprentice to William Foster, after which my father set me up and gave me 3333 D^a 33^{cts}, which I put into the Dry Goods line, but soon after, the Peace between Great Britain and America was concluded: I did not make any profit in that business. Afterwards my Father took me into partnership with him in the Insurance Office, and I kept a store on the Long Wharfe. After his death, T. C. Amory was a partner with me for two years in the Commission Line, 1788 and 1789: we lived and parted good friends and continue so. After this I bought and sold the Publick Securities of

¹ This account of the Amory family agrees with the one printed in the GENEALOGICAL AND HISTORICAL REGISTER, x. 62-3.

the country, and like a simpleton gave up the Insurance office, and was engaged in the purchase of five millions of Georgia Land, which brought upon me a vexatious Law suit, in which a Judgment of 220,000 was given against me. After I had settled that Judgment, (which I did in full), I sailed in the *Minerva*, Nov. 1799, for London, to make a Visit to my brother and sister, Mr. and Mrs. Gore: he was then a Commissioner from this Country, under the 6th article of the British Treaty. I returned by via New York and arrived there Oct. 19, 1800. Mr and Mrs Gore arrived from England 12 April 1804. During their absence I had the care of his business and farm at Waltham, on which I raised and planted Trees, and, formed most of the present walks. The House he built there was burnt down on 19th March, 1799, while I lived there.

Mr Gore and myself have always lived on the most friendly and intimate terms of friendship. I could not add to his fame in anything that I could say, nor would it be possible for me to express the pleasure and satisfaction, as well as information, that I have derived from his society.¹

June 26th 1803 I was married to Mrs. Lucy Dobell, who was the daughter of Ellis² and Sarah Gray. She was born July 18, 1776, and married to Dr. Will. John Benger Dobell,³ April 26, 1797, who died in Oct. following; by whom she had one child, viz: Emmeline Benger Dobell, who was born 29 Mch. 1798.

Mrs Payne and myself passed the winter of 1803 at Washington, and on our way home, on the 8 April 1804, at New York was delivered, by the birth of two boys, which are christened Edward William and William Edward. May 8, 1807, Mrs. Payne had two other boys; they were called Chris^t Gore, and Ellis Gray. On 25 Sept 1807, Ellis Gray died; and on 5 Oct 1807, Chris^t Gore died.

March 13, 1809, Mrs. Payne died. Mrs Payne's father was the son of Rev. Ellis Gray, and her mother the daughter of Benj. Dolbear.

¹ Governor Christopher Gore fills a large space in our history; and a memoir of him will be found in Mass. Hist. Soc. Collections, 8d ser. iii. 191. At the end of this record will be found a sketch of his ancestry and immediate relatives.

² Rev. Ellis Gray was son of Edward Gray of Boston, rope-maker, who came here in 1686 (Bridgman's Copp's Hill Epitaphs, p. 227), by his second wife, Hannah Ellis. He was half-brother to Hon. Harrison Gray, Treasurer of the Province. Rev. Ellis Gray was ordained pastor of the Second Church, 27 Sept. 1738, and d. 7 January, 1763, aged 36. (See Robbins's History, pp. 185, 314.) Rev. Ellis Gray m. 1736, Sarah Tyler, and had Ellis, jr., b. 1745, m. Sarah Dolbear, and had, besides Mrs. Payne, Sarah, who m. Joseph Hall, and Hannah, who m. Judge Wilson of the United States District Court, and secondly Dr. Bartlett.

³ Of Dr. Dobell's antecedents I can learn little. The Boston journals recorded his death at Philadelphia in October, 1797, aged 30, calling him a celebrated physician. Following this clue by the kindness of a correspondent, I learn that Dr. Dobell is commemorated in a "Short History of the Yellow Fever that broke out in the City of Philadelphia in July, 1797," by Richard Folwell. It seems that Dr. Dobell volunteered his services in behalf of the poor during this epidemic, and fell a victim to his philanthropy. The account states that Dr. Dobell "was of independent circumstances, had been married but a few months before, and could have no temptation to the office which he undertook, but what arose from pure benevolence."

My brother, Chris^r Gore, was Governor of Massachusetts from June 1809 to June 1810.

On Saturday evening Mch 27, 1813, [I] was married to Catherine Hallett, by the Rev^d. Mr. Miller, at New York. She was daughter of Joseph and Elizabeth Hallett; her mother's maiden name was Hazard.

Mrs Payne was born at New York on 22^d Feb. 1768. She had not any brothers; her eldest sisters were twins, Lydia and Elizabeth. Lydia married Mr. Horlitz, a German; Elizabeth, Mr. Gault; she is now living. Ann, the third daughter married Mr John Delafield. Mrs Payne was 4th daughter. Sarah was the 5th and is not yet married; and Maria, who married Col. Tallmadge, was 6th.

July 29, 1816, Emeline B. Dobell married to F. Carnes.

Aug. 17, 1821, she died and left three children.

[Here ends the line of autobiographies, though various interesting notes remain to be copied here. William Payne left three sisters and two sons; of these William E. survived the others and made a record as following:—]

"July 21, 1827, William Payne died after an illness of 4 days, leaving a wife, and Edward W. and W^m. E. Payne, twins.

"March 7, 1832. Edward W. Payne died of consumption after an illness of 5 months, borne without a complaint.

"January 22^d 1833. Sarah Payne died, of an inflammation of the lungs. Sick early in life, and never robust, she was always cheerful, and ever attentive to the comfort and contributing to the pleasures of those about her.

"Rebecca Gore died April 14, 1834. With a mind above ordinary women, was united a kindness of heart and a disinterestedness, which showed itself in deeds and not in words. Without children she was a mother to those of two families. Fond of retirement and domestic quiet, she loved to have her friends about her. Devoted to the care of a sick husband, she still kept up her intercourse with society and fulfilled her duties to it. An active member of society, none could live within the circle in which she moved without being affected by her influence.

"Mary Payne died Nov. 6, 1834. Always an invalid, she yet always enjoyed life, and from her good temper and ladylike deportment was ever a pleasant and important member of the family circle. She and Sarah were never separated from each other during the life of the latter. They had everything in common, and had always a competence. They lived much in society and did their share in the promotion of sociability and good feeling. In early life they were called to administer to the comfort of a mother who for many years was a source of care, anxiety and attention. They never remitted their attendance. In after life when their brother's estate became insolvent from the mismanagement of several manufacturing establishments in which he had invested the greater part of his property, they submitted to a loss of \$50,000 without a murmur." He adds that they continued to assist their brother's widow, &c.

"They were survived by an old and faithful servant, aged 86, and who had lived with them from the time she was sixteen. Her name was Thankful Leeds."

The last survivor of the family in the male line, William Edward Payne, left no autobiography; but instead his intimate friend and executor, the late Edward Blake, wrote in this volume a full record of Payne's life. Much of this tribute relates to personal matters of no interest, except to those connected with him by ties of kindred. We therefore present an abstract of this memoir in place of a copy of it.

William Edward Payne was born 8 April, 1804, and was baptized 25 Nov. following by Rev. Dr. Freeman; his half-sister, Emmeline B. Dobell, being baptized at the same time. He was a pupil at the Phillips Academy, Exeter. He entered Harvard College in 1820, and was graduated in 1824. Then, in company with his classmate and biographer, Blake, he studied at the Law School at Northampton, Mass.; in 1826 they became students in the office of Lemuel Shaw and Sidney Bartlett of Boston. In 1827 both were admitted to the bar.

Mr. Payne did not practise law to any extent, his health having been delicate for years; and he was mainly occupied in settling his father's estate. His own property, derived from his grandmother, was seriously diminished by investments in manufacturing corporations.

In 1834, on the death of his aunts, Mrs. Gore and Miss Mary Payne, he succeeded to a large estate, and he promptly availed of it, to pay all the creditors of his father's estate in full with interest, expending in this honorable manner over \$25,000.

The state of his health continuing unfavorable, his malady being some unusual form of lung disease, Mr. Payne sailed for Europe Dec. 25, 1834. He spent the next three years and a half abroad in search of health, but without success; and died at Paris, July 5, 1838. His remains were deposited at Père la Chaise in a tomb bearing the following inscription:—

William Edward
Payne,
de Boston, États Unis,
agé de 34 ans.
Décédé à Paris,
5 Juillet, 1838.

Mr. Blake adds as to his character, "To intellectual powers of a high order he united a generosity and kindness of disposition which he possessed to a remarkable degree. Disinterestedness was a prominent trait of his character. He was very fond of doing good to others." "He was tried in adversity and prosperity," and "alike in both he never lost sight of the claims of others. He was as free from selfishness as the lot of humanity would permit." "He had a very strong sense of religion, and an entire conviction and faith in a future state, to which he looked forward with strong hopes."

The only near relatives of Mr. William E. Payne were the descendants of his half-sister, Miss Dobell.

As already noted, Emmeline B. Dobell married Francis Carnes of Boston, July 29, 1816. Their children were

- | | |
|------------------------|-----------|
| i Francis John | born 1816 |
| ii Emmeline Wainwright | „ 1819 |
| iii Lucy Payne | „ 1820. |

Francis Carnes died about 1860 at Dayton, Ohio; his wife died Aug. 17, 1821. He m. 2d, in 1828, Emma E. Osgood, who is still living.

Francis J. Carnes, only son, lived at Paris, and 30 June, 1843, there married Laura Cecilia, dau. of Thomas Van Zandt of New York. He died 14 Mch. 1845, without issue, and his widow married secondly 8 May, 1849, Alex. J. P. Garesché, and coming with him to this country, they now (1874) reside in St. Louis, Mo. They have had nine children.¹ Mrs. (Van Zandt) Carnes was b. 15 Mch. 1824.

Emmeline Wainwright Carnes married Edward A. Weeks; their children were

- Edward F. born 25 Aug. 1848; a lawyer in New York.
Emmeline C. “ 8 Mch. 1851; m. George S. Baxter.

Mrs. Weeks died March 1852.

Lucy Payne Carnes, after the death of her sister, married Edward A. Weeks. He died 16 Nov. 1870, and his widow surviving him still resides in New York.

In regard to the Gores, the following outline of the family history may be acceptable.

The Gore Family.

The first of the name here, as Savage shows, was John¹ of Roxbury, who had a wife Rhoda, and d. 2 June, 1657. His will mentions sons John² and Samuel², and two daus. His widow m. John Remington.

John² Gore, jr., of Roxbury (b. 23 May, 1634) m. 31 May, 1683, Sarah Gardner and had sons John,³ b. 27 Feb. 1684; Ebenezer,³ b. 7 Nov. 1689; and Samuel,³ b. 1 Sept. 1699; as also daughters. He d. 26 June, 1705.

Samuel² Gore of Roxbury, carpenter, m. 28 Aug. 1672, Elizabeth, dau. of John Weld. They had sons Samuel,³ b. 20 Oct. 1681; John,³ 22 June, 1683; and Obadiah,³ b. 13 July, 1688. He d. 4 July, 1692; his widow m. ——— Tucker.

¹ Alexander J. P. Garesché m. Laura C. (Van Zandt) Carnes, 8 May, 1849, and had

Alexander,	{ b. 27 Aug. 1850.
Eugene,	
William A.,	„ 13 May, 1852.
Henry S.,	„ 3 Nov. 1853.
Julius P.,	„ 22 Oct. 1855, d. young.
Edmond S.,	„ 6 July, 1857.
Juliette L.,	„ 8 Jan. 1859.
Serena,	„ 5 Jan. 1861.
Arthur F.,	„ 5 Nov. 1862.

[It was John,⁸ son of Samuel,² who was of H. C. 1702, afterwards captain of a vessel, who d. 12 Nov. 1720. This is shown by deeds in Suff. Reg., especially one in Lib. 31, f. 96, in which the three sons ratify sales by their mother Eliz. Tucker, late Gore, and the will of John Gore, mariner (Suff. Wills, xxii. 53), in which he mentions his bros., sister Margaret Heley, mother Eliz. Tucker, wife Rebecca. His wife was Rebecca Smith, m. 12 May, 1713; but he left no children. See Glover Memorials, p. 120.]

Obadiah⁸ Gore (son of Samuel²) was a carpenter in Boston, where he m. 26 Oct. 1710, Sarah Kilby. They had four daughters, Elizabeth, Miriam (wife of Daniel Bell), Sarah, and Katherine, besides a son John,⁴ b. 29 Dec. 1718. Obadiah d. in 1721.

John⁴ Gore of Boston, painter and merchant, m. 5 May, 1743, Frances, dau. of John Pinkney, by whom he had fourteen or fifteen children. He was an Addresser of Gage, went to Halifax with the British army in 1778, was banished in 1778, and was pardoned by act of the Legislature in 1787. He d. in Jan. 1796, aged 77, and his will (Suff. Wills, 94 f. 182) mentions sons Samuel⁵ and Christopher⁵, daus. Frances, Elizabeth, Susanna, Rebecca, and Catherine, grandson John⁶, son of John⁵ deceased, grandson John Taylor. To each he bequeaths one ninth of his estate.

Of his children, John⁶ who died in his father's lifetime, m. Sarah Foster 3 Mch. 1768, and had John⁶, who lived in Park St., Boston. This John had two children, John C. Gore of Roxbury, whose children live in California, and Eliza I. (called Louisa), who m. Horatio Greenough, the sculptor.

Samuel⁵ Gore m. Mary Peirce 10 Mch. 1774, and had four sons and five daughters. The sons were John (whose widow m. Samuel Appleton), George (father of Capt. Samuel Gore), and Christopher. Of the daughters, Fanny and Sarah married John Bumstead, Rebecca was the wife of Stephen Glover, and Mary married her cousin, Dea. Moses Grant. I am indebted to Mrs. Susan (Grant) Walker, for much information in regard to the later generations of the family.

Professor BOWEN asked to be excused from writing the Memoir of the late Dr. Jeffreys Wyman, which had been assigned to him, as those so admirably prepared by our associate, Dr. Holmes, for the "Daily Advertiser" and for the "Atlantic Monthly," and by Dr. Asa Gray for another magazine, seemed to render it unnecessary that another should be written by him.

Dr. ELLIS stated the rule of the Society, that Memoirs of deceased members should be prepared by associate members; and he suggested that, if Professor Bowen felt that he must decline the appointment, he might secure the consent of Dr. Holmes to substitute his Memoir, or a new draft of it prepared by the writer. Professor Bowen concurred in this view, and the Society voted to excuse him from writing the Memoir of Professor Wyman.

The Secretary read extracts from letters of the President, Mr. Winthrop, in one of which, dated "Cannes, France, 10 Dec., 1874," he speaks of inquiries he had made respecting the picture of Washington at Versailles, which proved to be substantially a repetition of the Albemarle picture. He had been about three weeks at Cannes, and had formed the acquaintance of the rector of a little English church there, the Rev. Neville Rolfe, a lineal descendant of the family of that name, of whom one married the celebrated Pocahontas. "His nephew," he writes, "son of an elder brother, now lives at Heacham Hall, Norfolk County, England, where there is an old portrait, probably the portrait of Pocahontas." A photograph of this picture had been promised to Mr. Winthrop, if it should be found practicable to obtain one.

FEBRUARY MEETING, 1875.

A stated monthly meeting was held on the 11th instant at 11 o'clock A.M.; Vice-President ADAMS in the chair.

The Recording Secretary read the records of the preceding meeting, which were approved.

The Librarian read his monthly list of donors to the Library.

The Corresponding Secretary reported a letter of acceptance from Samuel Rawson Gardiner, of London, elected a Corresponding Member.

Agreeably to a vote of the Society at the last meeting, the Council now recommended, through the chairman, the transference of the following names from the Corresponding to the Honorary list: the Hon. George P. Marsh, LL.D.; the Rt. Rev. Lord Arthur Hervey, Bishop of Bath and Wells; the Rev. Theodore D. Woolsey, D.D.; and the Hon. Hugh Blair Grigsby, LL.D., Chancellor of William and Mary College.

The recommendation was unanimously adopted.

Prof. Charles F. Dunbar, of Cambridge, was elected a Resident Member.

Hon. John Bigelow, of New York, was elected a Corresponding Member.

The Chairman then said, —

It becomes my painful duty to bring to your notice the losses which have befallen the Society since the day of our last meeting. Of these, three are on the list of our Corresponding

and Honorary Members, and all had attained an age beyond the average limits of life.

The first of these to whom I refer is the celebrated French geographer, Marie-Armand-Pascal D'Avezac, who died in Paris last month. He was born at Bagnères de Bigorre, in 1799, fitted himself as an advocate in Paris, was *employé* of the Minister of the Marine, and became the head of that bureau. He soon after, in 1823, published *Essais Historiques sur le Bigorre*. This was followed in a few years by a great variety of articles contributed to the periodicals of the day, as well as published separately. He became Secretary of the Geographical Society in 1834; and the *Bulletin*, the official organ of the Society, gives abundant evidence of his industry and learning in the department of study to which his life has been mainly devoted. He subsequently was Honorary President of that association. Among his important publications may be named the following: *Martin Hylacomylus, Waltzemüller, ses Ouvrages et ses Collaborateurs*, &c., Paris, 1867; *John and Sebastian Cabot*, translated into English by Dr. Leonard Woods, for the Maine Historical Society; *Relation Authentique du Voyage du Capitaine de Gonneville*, &c., Paris, 1869.

The next person whom I am called to mention is Richard Almack, of Long Melford, in the county of Suffolk, in England, long a Fellow of the Society of Antiquaries, who, by his devotion to archæological pursuits, established his name as an authority in the various questions constantly springing up in his own country. Hence it very naturally followed that he formed friendly relations with such of our countrymen as were and are engaged in similar researches, to make good the thread which connects them with special memories of the mother land. To all such persons the intelligence of his decease, even at the ripe age of seventy-five, will be received with great regret.

The third individual whom I am to notice is Mr. Cyrus Eaton, of Warren, in the State of Maine, who became a Corresponding Member of our Society in 1853, now more than twenty years ago, he being then in his seventieth year. Eight years before that time he had met with the misfortune of loss of sight; but this does not seem to have impaired his zeal in historical pursuits, for after that time he prepared for the press and published not less than two thick volumes relating to the local antiquities of two of the towns with which he had been associated, — Warren and Thomaston, — which are still regarded as the best authorities on that subject at home.

Lastly, the name of Charles Sprague will occur to you all, even before I name him, as among the list of our Resident

Members, though not often to be seen at our meetings. His quiet yet busy life long absorbed him in other duties, involving grave responsibilities, of which he acquitted himself through a long period with the utmost fidelity. He was of the rigid old school, who could not understand or permit of the laxities in financial transactions which have of late years been designated under the specious term of irregularities. Yet, singularly enough, this man, practising constantly habits of uniform detail, which held him in perpetual bondage to arithmetic, was gifted with a brilliant imagination, which from time to time burst forth, to the surprise of all around him, in the highest flights of poesy and eloquence. He was one of the best personifications of a true Boston man which the present century has produced. May we have many such to be proud of in after years! But I am sensible that I am encroaching upon the privileges of other members who are more fully prepared to do justice to the memory of the departed.

Mr. EDMUND QUINCY, Mr. JAMES RUSSELL LOWELL, and Mr. WATERSTON joined in the tributes to Mr. Sprague. Mr. Waterston spoke as follows:—

CHARLES SPRAGUE, born Oct. 26, 1791, was eighty-four years of age when he peacefully passed away. The whole of that long life was lived in this community. Year after year went by in a manner which, to many persons, would have seemed monotonous; but each successive day found him engaged in his various duties, with large responsibilities resting upon him; and, when released from these cares, he welcomed most heartily the quiet of home, and asked for no greater privilege than to participate in the affections of his kindred, and to enjoy that intellectual communion which he ever found in books.

His father, Samuel Sprague, was a mechanic, intelligent, laborious, and patriotic, of the same type with Paul Revere and others of that day,—a class of men universally honored for their integrity, sound sense, and public spirit. As a lad he helped throw the British tea into the harbor; as a man he shouldered his musket and fought for the liberties of his country; and, in an after day, with the same skilful hands he helped build the State House, in which our legislative bodies still meet.

His son Charles, until his thirteenth year, attended our public schools, having been a student at the Franklin School, at that time in Nassau Street, on the site now occupied by the Brimmer School. His teachers were Dr. Bullard and Mr. Lemuel Shaw, since so widely known as Chief Justice of the Massachusetts Supreme Court. The opportunities thus granted were the utmost he enjoyed, save that which life and books, and an earnestly energetic and inquiring mind, brought within his reach. At the age of thirteen he left school, and was ap-

prenticed to Messrs. Thayer & Hunt, of whom he gained his first practical knowledge of business. He would at times pleasantly narrate, what was unique in the history of the school, that, on his taking final leave of the school, the teacher gave him his hand, and, turning to the scholars, said, "Charlie has been a good boy, and you may offer him some mark of your good will and approbation." Whereupon all the boys loudly applauded, and continued their applause as he walked from the school-room and until he was beyond hearing.

While he was yet a very young man he was one of the singers in the choir of the Old South Church; and, as an indication of the primitive character of the times, he would relate how on special occasions the singers walked in procession through the streets, singing as they walked, while one, who played upon the bass-viol, carried the instrument strapped to his leg, which, after his own fashion, he would play upon, as he went limping along.

Among the singers of the choir was a young lady, Miss Elizabeth Rand, to whom Charles Sprague was engaged, and who in May, 1814, became his wife. [Mr. Waterston here called attention to a volume in manuscript containing some forty pieces of sacred music, both the musical notes, and the words, written out by Mr. Sprague's own hand, — a beautiful and perfect specimen of penmanship. This precious gift was treasured by the lady for life, and it is now equally prized by her children.]

Mr. Sprague was in business for several years in the old Scollay Buildings, near the head of Brattle Street. The lines among his poems entitled "Montague" were addressed to his partner in business. The name is wholly fictitious. In 1820 he became associated with the Suffolk Bank; and when the Globe Bank was established, in 1825, he became an officer in that institution, — a connection which continued unbroken through all the active years of his life.

Such were the external surroundings out of which the intellectual acquirements and the widely extended reputation of Mr. Sprague developed themselves. His earliest literary achievement was the gaining, at six different times, prizes which had been offered for the best poems to be recited on public occasions. Among these was the famous "Shakspeare Ode," delivered in 1823, at the exhibition of a pageant in honor of Shakspeare. The lines are full of graphic power and all aglow with the fire of genius.

This ode was written fifty-two years ago, when Mr. Sprague was thirty-two years of age. [Mr. Waterston placed before the Society the original manuscript, written by the author at that time. It was signed "Airy Nothing," under which signature it gained the prize.] In this manuscript are various alterations by the author's hand, among the most important and curious of which are the closing lines: —

"Once more in thee shall Albion's sceptre wave;
And what her mighty Lion lost, her mightier Swan shall save."

Beneath the last line is written in pencil, —

"And what her MONARCH lost, her MONARCH BARD shall save."

Mr. Sprague has written upon the manuscript, under date of November 26, 1823, a statement that, if considered too long for recital, there are one or two passages which may be omitted. These he encloses in brackets, marked 1 and 2. This magnificent production at once established the literary reputation of the author. Mr. Sprague also inserted upon the manuscript, "The above was written with some reference to its POSSIBLE publication." It is interesting to read such a sentence now, when, after half a century, these lines have become familiar wherever American literature is known.

The earliest poem of considerable length was delivered forty-six years ago, before the Phi Beta Kappa Society of Cambridge, Aug. 27, 1829, when the author was thirty-eight years of age. This was received with an outburst of enthusiasm at the time, and upon its publication at once took its place as an acknowledged work of pre-eminent merit, while for nearly half a century it has continued to sustain the high place that was at first awarded it. It was remarkable that one who had written for the public so seldom, and whose time was almost wholly engrossed in active business-pursuits, should have been able to produce so ripe and scholarly and thoroughly artistic a work. Not a hasty combination of rhymes to answer a temporary occasion, but a felicitous poem, complete in all its parts, compact with thought, brilliant with wit, weighty with wisdom, graphic in its portrayals, tender in its pathos, and genuine in its humor.

It is worthy to hold companionship with Campbell's "Pleasure of Hope," or Rogers's "Pleasures of Memory." "CURIOSITY" was, in itself, a subject happily chosen; and it was in every respect as happily carried out.

What can be more beautiful than the portrayal of its earliest development in childhood?—

"In the pleased infant see its power expand,
When first the coral fills his little hand;
Throned in his mother's lap, it dries each tear,
As her sweet legend falls upon his ear;
Next it assails him in his top's strange hum,
Breathes in his whistle, echoes in his drum;
Each gilded toy, that doting love bestows,
He longs to break and every spring expose.
Placed by your hearth, with what delight he pores
O'er the bright pages of his pictured stores!
How oft he steals upon your graver task,
Of this to tell you, and of that to ask!
And when the warning hour to-bedward bids,
Though gentle sleep sits waiting on his lids,
How winningly he pleads to gain you o'er,
That he may read one little story more!"

The poem is filled with touches of nature like the following:—

"The blooming daughter throws her needle by,
And reads her school-mate's marriage with a sigh;
While the grave mother puts her glasses on,
And gives a tear to some old crony gone."

With how keen a pencil does he sketch the walks of traffic, —

"Where Mammon's votaries bend, of each degree,
The hard-eyed lender, and the pale lendee;
Where rogues insolvent strut in whitewashed pride,
And shove the dupes who trusted them aside."

With what a gracious smile he watches the credulity of the antiquarian who —

"The crusted medal rubs, with painful care
To spell the legend out — *that is not there!*"

The scribe is alluded to at a time when steel pens were not so common as they are now, writing with —

"A quill so noisy and so vain,
We almost hear the goose it clothed complain."

Some of the happy results which have followed the invention of printing are thus briefly hinted : —

"Turn to the press; its teeming sheets survey,
Big with the wonders of each passing day, —
Births, deaths, and weddings, forgeries, fires, and wrecks,
Harangues and hail-storms, brawls and broken necks;
Where half-fledged bards on feeble pinions seek
An immortality of near a week."

How perfect the picture of the invalid ! —

"Behold the sick man in his easy-chair;
Barred from the busy crowd and bracing air,
How every passing trifle proves its power
To while away the long, dull, lazy hour!
As down the pane the rival rain-drops chase,
Curious, he'll watch to see which wins the race;
And let two dogs beneath his windows fight,
He'll shut his Bible to enjoy the sight."

The following solemn description is doubly impressive from the fact that Mr. Sprague had recently lost a beloved brother, who was buried at sea : —

"Wrapped in the raiment that it long must wear,
His body to the deck they slowly bear.
Even there the spirit that I sing is true;
The crew look on with sad but curious view;
The setting sun flings round his farewell rays,
O'er the broad ocean not a ripple plays;
How eloquent, how awful in its power,
The silent lecture of death's sabbath-hour!
One voice that silence breaks, — the prayer is said,
And the last rite man pays to man is paid;
The plashing waters mark his resting-place,
And fold him round in one long, cold embrace;
Bright bubbles for a moment sparkle o'er,
Then break, to be, like him, beheld no more."

[Mr. Waterston here laid before the meeting the autograph manuscript from which the author read the poem at Cambridge, in 1829, with

Mr. Sprague's alterations here and there, showing the severe scrutiny to which he had himself subjected it.]

The next public production was in September, 1830, — forty-five years ago, — when Mr. Sprague was thirty-nine years of age. This was "The Centennial Ode," pronounced at the request of the city authorities before the inhabitants of Boston, at the second centennial from the settlement of the city, at which time Josiah Quincy, then President of Harvard University, delivered the oration.

[The original manuscript from which Mr. Sprague read on that day to the assembled multitude in the Old South Church was here produced, and was examined with evident interest by the members of the Society, not a few of whom remembered the day itself, and listened while the poem was publicly read by the author.] What heart does not throb before his picture of the Pilgrim Fathers? —

"In grateful adoration now,
Upon the barren sands they bow.
What tongue of joy ere woke such prayer
As burst in desolation there?
What arm of strength ere wrought such power
As waits to crown that feeble hour?
There into life an infant empire springs!
There falls the iron from the soul;
There liberty's young accents roll
Up to the King of kings!

Oh! many a time it hath been told,
The story of those men of old,
For this fair Poetry hath wreathed
Her sweetest, purest flower;
For this proud Eloquence hath breathed
His strain of loftiest power;

Devotion, too, hath lingered round
Each spot of consecrated ground,
And hill and valley blessed;
There, where our banished Fathers strayed,
There where they loved, and wept, and prayed,
There where their ashes rest.

And never may they rest unsung,
While liberty can find a tongue!
Twine, Gratitude, a wreath for them
More deathless than the diadem,
Who to life's noblest end
Gave up life's noblest powers,
And bade the legacy descend
Down, down to us and ours."

The lines so widely known and admired under the title of the "Winged Worshippers" were actually written on the fly-leaf of a hymn-book in the old Chauncy-place Church, the Rev. Dr. Frothingham's, where two birds flew through an open window into the church during divine service.

"Gay, guiltless pair,
What seek ye from the fields of heaven?
Ye have no need of prayer,
Ye have no sins to be forgiven.

Why perch ye here,
Where mortals to their Maker bend?
Can your pure spirits fear
The God ye never could offend?"

The words were printed precisely as they were first written. The hymn-book itself long ago mysteriously disappeared; and neither that nor the autograph copy of the lines as originally written is now known to exist. The lines exist in Mr. Sprague's handwriting, but not the copy which was first written.

Between the years 1823 and 1827 Mr. Sprague was a member of the City Council. This is the only instance in which he could be persuaded to hold public office. Here he took active part in public debate, and fulfilled most acceptably the duties of his position.

Twice Mr. Sprague accepted invitations to discourse in prose. Once at the request of the city of Boston he delivered the oration, July 4, 1825. This production was so popular that not less than six editions were rapidly called for. Some unscrupulous plagiarist at the West is said to have taken this oration and to have repeated it before the public as his own. The triumph gained by this borrowed plumage was of short duration. The excellence of the original was of too decided a character to allow such robbery escaping detection. The second address was on Temperance, in 1827. This was a production of great directness and power, and exerted a marked influence.

Aside from these productions, Mr. Sprague confined himself in his literary labors to poetry; and in this field we may be tempted to think that he appeared but too seldom. Evidently not quantity, but quality, was his aim; and in this doubtless he was right. Whatever he did was well done. It was remarked by John Quincy Adams, that Mr. Sprague's poem on Art "comprised in forty lines an encyclopædia of description." Each work from his pen was individual and masterly. Every line, every epithet, was judiciously chosen. There was a compactness of meaning, a clearness of statement, a thoroughness of finish, and a harmoniousness of parts. Each piece was true to its own purpose, brilliant with wit, or tender with pathos; polished with artistic skill, or kindling with genius.

The following letter I received from Mr. Sprague thirty-two years ago, describing the occasion upon which the poem entitled "We are but Two" was written. The letter contains allusions to local and personal histories, which are of general interest.

Boston, Oct. 9, 1843.

REV. R. C. WATERSTON:—

MY DEAR SIR,—I take pleasure in sending you the lines you asked me for. Perhaps you would like to know the story of them. You will recollect that a few years ago the city authorities extended our fine mall, so as to run it entirely round the Common. By this improvement (as I suppose I must call it) some fifty or sixty tombs in the adjoining burial-ground were shut up, and their places supplied by a range of new ones, built in another part of the ground. My father's tomb was one of those disturbed. For me it had always had peculiar interest. I saw my father build it *with his own hands*,

when I was a little boy, sitting on the grass and playing with the bricks round me while he was at work. A large old sycamore tree swung its branches directly over our heads.

During more than forty years I had again and again followed my dear kindred to this last resting-place (last, as I believed); and it was always my hope that in God's good time my bones might be laid there also. I wanted that the old button-wood tree's autumnal leaves should cover me. But improvement has no leisure to listen to a rhymster's sickly complaints. The tree was cut down, the mall laid out, and it became necessary to remove the tenants of our old tomb into one of the new ones. The superintending this removal fell upon my brother and myself, the surviving "two" of seven sons. Our task was performed on a cold, dreary afternoon, one of us standing at the mouth of the old tomb, while the other, as each coffin was lifted out, slowly preceded it to its new abode.

By the time we had done it was dark. We parted, each for his own home; and I could not help looking back after my companion with the saddening thought that it would not be long before that tomb must be opened again. "We were but two;" and of them one might soon be called to say, "I only am left."

From this little domestic incident, my dear sir, you will at once see that the few lines which you are pleased to compliment could hardly avoid being born, and that much, much more might have been said, had the writer drawn upon his fancy instead of his feelings.

Yours with much regard,

CHARLES SPRAGUE.

[The lines in Mr. Sprague's clear and handsome manuscript were laid before the Society. The verses have been sometimes printed with alterations made by other hands. They are here printed as he wrote them:—

THE BROTHERS.

*We are but two, — the others sleep
Through death's untroubled night;
We are but two, — oh let us keep
The link that binds us bright.*

*Heart leaps to heart, — the sacred flood
That warms us is the same;
That good old man, — his honest blood
Alike we fondly claim.*

*We in one mother's arms were locked, —
Long be her love repaid;
In the same cradle we were rocked,
Round the same hearth we played.*

*Our boyish sports were all the same,
Each little joy and woe;
Let manhood keep alive the flame,
Lit up so long ago.*

*We are but two, — be that the band
To hold us till we die;
Shoulder to shoulder let us stand,
Till side by side we lie.*

CHARLES SPRAGUE.]

The brother alluded to in these lines was George James, who died Aug. 22, 1847, four years after the foregoing letter was written. He died in the fifty-fourth year of his age. The day before his departure, twenty-eight years ago, I received the following words from Mr. Sprague:—

Boston, Aug. 21, 1847.

... I have long ceased to use my poor pen for any other than official purposes. The last verses I ever wrote were addressed to my brother,—"We are but Two." Alas, sir, there will soon be but one! I am in much distress, for that dear brother is dying.

Yours with much esteem,

CHARLES SPRAGUE.

One cannot but feel the profoundness of his affections. With what tenacity of love he clung to those who were dear to him!

The phrase "other than official purposes" takes the mind to the scenes of Mr. Sprague's business life, and those active duties which were so constant a tax upon his time and thought. How difficult it is to associate the absorbing pursuits of business with a distinguished literary career! Yet Coleridge has some very striking remarks in his "Biographia Literaria," upon this very subject, in which he urges the course that Sprague pursued. "With no other privilege," he says, "than that of sympathy and sincere good wishes, I would address an affectionate exhortation to the youthful *literati*, grounded on my own experience. It will be but short, for the beginning, middle, and end converge to one charge: NEVER PURSUE LITERATURE AS A TRADE." "Three hours of leisure, looked forward to with delight as a change and recreation," Coleridge insists, "will abundantly suffice to realize whatever is requisite." "My dear young friend," he continues, "suppose yourself established in any honorable occupation. From the manufactory or counting-house, from the law-court or from having visited your last patient, you return at evening to your family, prepared for its social enjoyments, with the very countenances of your wife and children brightened, and their voice of welcome made doubly welcome by the knowledge that, as far as *they* are concerned, you have satisfied the demands of the day by the labor of the day. Then, when you retire into your study, in the books on your shelves you revisit so many venerable friends with whom you can converse. Your own spirit scarcely less free from personal anxieties than the great minds that in those books are still living for you!" ("Biographia Literaria," London, 1817, vol. i. p. 224.)

This view presented by Coleridge was precisely what Charles Sprague, from his own conviction, had acted upon. This imaginary picture would seem to have been taken from Mr. Sprague himself, in his domestic tranquillity and joy, in communion with the books of which he was so untiringly fond; and the statement of Coleridge appears to be verified by the literary results which Mr. Sprague, with apparent ease, accomplished.

One naturally recalls Samuel Rogers, "the banker poet," of England. But with Rogers there was no such domestic felicity. One is reminded yet more forcibly of Charles Lamb, "the gentle Elia," who must ever be associated in our thought with the South-Sea House, and the accountant's office of the East India Company, in Leadenhall Street. There, in the centre of busy interests, amid day-books and ledgers, year after year he toiled. "*Those*," Lamb would exclaim, pointing to the huge account-books which he had laboriously filled, — "*Those* are my real works. There let them rest on their massy shelves, — more manuscripts in folio than ever Aquinas left!" Even so; in the brief intervals from such drudgery, which lasted over thirty years, Lamb penned his inimitable essays.

Thus also while Charles Sprague was familiarly conversant with discounts and dividends, credits and investments; intricate problems awaiting his solution, and heavy responsibilities pressing upon his mind; through all these perplexities of business, the finer sensibilities of his nature remained unscathed, and the tastes and perceptions which made him what he was received no blight. His passion for literature continued fresh, and poetic-thought welled up, a perennial fountain, — life-giving and inexhaustible.

Charles Sprague and Charles Lamb had other similarities than those connected with outward circumstance. They had both the same strong love for quaint old volumes, and were never weary of searching for the treasures they contained. "And you, my midnight darlings, my folios," Lamb would exclaim, "must I part with the intense delight of having you (huge armfuls) in my embrace? Must knowledge come to me, if it come at all, by some awkward experiment of intuition, and no longer by this familiar process of reading?" ("Elia.")

To both, the volumes they loved were an unfailing solace and delight. Mr. Sprague's house was overflowing with books, and no one knew better than he did all that was good within them. "You have come to see a happy old man," he exclaimed to me one day as I entered his room, — "a *very* happy old man, surrounded by his friends." And with a luminous smile he smote with his hand the books upon his table. "These are precious friends," he said, "and I love them more and more." Many will be reminded of his own lines to his cigar: —

"When in the lonely evening hour,
Attended but by thee,
O'er history's varied page I pore,
Man's fate in thine I see.
Oft as thy snowy column grows,
Then breaks and falls away,
I trace how mighty realms thus rose,
Thus tumbled to decay."

And we recall the lines in his Phi Beta poem: —

"Twas heaven to lounge upon a couch, said Gray,
And read new novels through a rainy day.
Add but the Spanish weed, the bard was right;
'Tis heaven, the upper heaven of calm delight,
The world forgot, to sit at ease reclined,
While round one's head the smoky perfumes wind,

Firm in one hand the ivory folder grasped,
 Scott's uncut latest by the other clasped,
 'Tis heaven, the glowing, graphic page to turn,
 And feel within the ruling passion burn."

Another peculiarity of Lamb's was a marked characteristic in Mr. Sprague. Both had the same partiality for the city, and loved the busy hum of streets. They had no craving for solitude, unless, like Cowper, through the loop-holes of retreat, they could peep at the world, and watch the stir of the great Babel! The moving tide of life was, to them, "better than all the waters of Damascus." London was Lamb's Paradise. The Strand and Fleet Street he affirmed that he would not exchange for Skiddaw or Helvellyn. "I don't care," said Lamb, in a letter to Wordsworth, "if I never see a mountain in my life." "All these emotions," he adds, "must seem strange to you; so are your rural emotions to me." With a like taste, Mr. Sprague seldom or never went out of the city. He had no wish actually to mingle in the crowd, but he loved to look out upon it. Lamb says, "I often shed tears in the motley Strand from fulness of joy at so much life." Mr. Sprague had much of this feeling. A thousand times have I seen him at his window watching the people moving by. And as at St. Mark's, in Venice, the doves are daily fed, so it was not an unfrequent pleasure to Mr. Sprague to bestow gifts to little children as they passed by.

Meeting, one day, Mr. Sprague in the busy street, "Come with me, my dear sir," I said, "into the *country*."—"I should rejoice to do so," he replied, "but I am chained like a galley slave."—"Break your fetters," I said, "and be free."—"Ah! that," he replied with a smile, "I fear cannot be done!" Just so said Lamb. "I am a prisoner to the desk. I have been chained to that galley thirty years. I have almost grown to the wood."

Yet both Charles Sprague and Charles Lamb, though surrounded by so much that seemed antagonistic, retained their tenderness of humor, their large charity, their genial sympathies, and their nobleness of character.

Both Lamb and Sprague knew well how to

"frame matter for mirth,
 Making life social, and the laggard time
 To move on nimbly."

Both Charles Sprague and Charles Lamb cherished an absolute aversion to every thing that approximated to pretension and conceit. They never would profess to believe what their convictions did not accept; perhaps from that very circumstance they were at times misunderstood. That which they considered conventional had for them no special value; but they honored what they felt to be truth, and desired to plant their feet on solid foundations.

To a friend who called to visit Mr. Sprague in his last illness, he emphatically said, pointing to Christ's Sermon on the Mount, "*This is my RELIGION.*" Thus did he avow that it had been his earnest desire to live in accordance with Christ's requirements, and to embody in his

life the Beatitudes. What is the Sermon on the Mount but the compendium of Christianity? Never, through all his writings, did Mr. Sprague utter a word which was not in harmony with this conviction: it was alike manifest in his daily conduct and in his intercourse with his kindred, his neighbors, and mankind. The spirit that shone through all he wrote was this, that he was habitually living, to use his own language, in the presence of One

"Before whose all-beholding eyes
Ages sweep on, and empires sink and rise!"

He declares that —

"'Twere heaven indeed
Through fields of trackless light to soar,
On Nature's charms to feed,
And *Nature's OWN GREAT GOD ADORE.*"

So, on the loss of a dear friend, he follows the ascending spirit, with the eye of faith, to

"Her eternal home,
That bright abode where sorrow ne'er can come;
There, in the likeness that her Maker drew,
Ye weeping ones, *she waits to WELCOME YOU.*"

Observe how he describes, on another occasion, a friend, with prophetic vision, — beholding the splendors to come: —

"Thine eyes one moment caught A GLORIOUS LIGHT!
As if to thee, in that dread hour, 'twere given
To *know* on earth, what faith believes of Heaven!"

He then adds, —

"In my last hour be Heaven so kind to me!
I ask no more than this, — to die like thee."

Listen as he pours forth his earnest supplications to the Infinite mind: —

"On every soul
Shed the incense of thy grace,
While our anthem-echoes roll
Round the consecrated place;
While thy holy page we read,
While the prayers thou lov'st ascend,
While thy cause thy servants plead, —
Fill this house, our God and Friend.

Fill it now, — oh fill it long!
So when death shall call us home,
Still to thee, in many a throng,
May our children's children come.
Bless them, Father, long and late;
Blot their sins, their sorrows dry;
Make this place to them the gate,
LEADING TO THY COURTS ON HIGH."

Gradually the infirmities of age came upon him, his manly strength

slowly giving way; but through all, to the very last, his intellectual powers continued unimpaired. Without a murmur he bore up under physical pain. Cheerfully he contemplated the final event, and became at last even anxious to go. "Say I am ready," was the message he sent, with his love, to his absent friends, and thus, peacefully as an infant sinks to its quiet slumber, on Thursday, January 21, at half-past eleven o'clock, in the eighty-fifth year of his age, he passed away.

In the same burial-place in which he describes himself as a little boy seated upon the grass watching his father with his own hands building a tomb, and to which, in after years, he had seen the dust of his parents and his kindred gathered, — in that same burial-place all that was mortal of Charles Sprague now reposes.

Most fitting it seems that there, in the midst of that busy life he loved, he should rest, — there where the young and the old in their daily walks are constantly passing. Faithful, industrious, and with an unbending integrity, he lived a spotless and childlike life. Strong in his affections, simple in his tastes, with an unchanging love for goodness and for truth, he was in himself, to those who knew and loved him, more, far more, than he ever embodied in the best he ever wrote; a broader, loftier, and more noble spirit, which language could never express. The sweetest and the grandest lines he penned were but a faint echo of that heavenly harmony which breathed through his soul.

To those who knew him, however imperfectly, his was a simple, truthful, and beautiful life; and that life has left behind quickening and inspiring memories.

Standing here by his grave, let us listen to his own words, as if his voice were still speaking to us: —

"And is this all, — this mournful doom?
Beams no glad light beyond the tomb?
Mark how yon clouds in darkness ride;
They do not quench the orb they hide;
Still there it wheels, — the tempest o'er,
In a bright sky to burn once more;
So, far above the clouds of time,
Faith can behold a world sublime, —
There, when the storms of life are past,
The light beyond shall break at last."

MR. SIBLEY read the following biographical sketch of Mr. Eaton: —

CYRUS EATON, the sixth of ten children of Benjamin and Mary (Stacy) Eaton, all of whom he survived, was born at Framingham, Mass., Feb. 11, 1784, and died at Warren, Me., Jan. 21, 1875, aged nearly ninety-one years. When he was sixteen years old, his father, a shoemaker, whose military services in the War of the Revolution began at the battle of Lexington, died, leaving a large family in poverty, in consequence of the depreciation of continental money. With a poor prospect, and a gloomy apprehension of the life-struggle before him,

this son and an elder brother assumed the trade of their father. But their love of knowledge was so strong that they hired books of history and travels, which the younger brother was permitted to read aloud to the older, who, as the best and fastest workman, was turning out the boots and shoes in the long winter evenings. Both of them soon acquired about all that could be learned in the district schools, and the younger, who preferred hiring out on a farm during the warm season, was once allowed a few weeks between summer and winter, having committed to memory the Latin grammar, to study Latin at the academy, carrying his dinner, and travelling three miles morning and evening.

He worked out a second term of six months on a farm, at eight dollars a month, when labor began at dawn and ended at dark, and, handing the proceeds to his mother in return for the homespun clothes her spindle and shuttle provided, he was allowed to work an additional month for himself, for which, because of his superiority as a laborer, he was paid ten dollars. He now felt rich. With this he travelled twenty miles to a book-store in Worcester, and bought Pike's large arithmetic, with an algebra, the first he ever saw, and other mathematical books and instruments, returning the same day, on foot both ways, and with no expenditure for refreshment of any kind. Furnished with these and Love's Surveying, he applied himself with intense industry and an indomitable determination to get at the bottom of every process.

The next season he worked at brick-making on the banks of Charles River in Watertown, for nine dollars a month, where, though the work was hard, his fancy, he said, was struck with the pleasant river, its daily tide and frequent lighters, the city-like appearance of the street leading across the bridge, a distant view of the cupola of Boston State House, and the solemn sound of far-off bells wafted to his unaccustomed ears,—all which, in the stillness of a Sabbath morning, made a deep impression on his romantic and religious feelings, and, with the Fables of Florian and one or two other books found at his boarding-house, and an occasional solitary stroll among the majestic trees of some neighboring forest, made Sunday a truly refreshing feast to his spirit as well as rest to his body. Not, he said, that the services at church were neglected, but that the apparent display of wealth and fashion did not, at that time of his life, well chime in with his melancholy moods and lonely musings. Towards fall, as the days began to grow shorter, he found an hour or two of evening leisure, which, instead of gossiping with his fellow-boarders, he spent in reading, by the light of some tallow candles he purchased, a history of England which he had the fortune to come across, so dilapidated that he never learned the author's name, but so interesting, particularly in relation to the early Britons and Druid priests, as to detain him long into the night.

The following winter, boarding with his mother's family, who had removed to Southboro', he began there, at the age of nineteen, his career as a schoolmaster, by teaching a large and difficult school in the

centre of the town, with such success that, before the annual town-meeting was adjourned, he was applied to for the next winter by two of the newly elected agents.

The intervening summer and autumn he spent in teaching town schools in Warren, Me. Having passed the succeeding winter in Massachusetts, he returned to Warren in 1805, when twenty-one years old; married, Sept. 10, 1806, Mary Lermond, and from that time identified himself with the best interests of the town, and received its highest honors.

When he began to teach, the standard of education in district schools was low; consisting of little more than reading, spelling, and writing, the master, among other duties, making and mending the quill pens for all who wrote. "Master" Eaton, as he was always called, was the first to introduce the study of grammar into the Warren schools. "In the want of suitable text-books of arithmetic and geography," he said, "the difficulties he had to contend with . . . can scarcely be understood by teachers of the present day." By close application and unremitted effort he continued to advance the condition of the schools, qualifying himself, as they advanced, to teach the new branches as fast as they were required. He pursued the study of Greek and Latin till he was able to fit boys for college. He learned the French and German languages so as to converse in them. He studied the higher mathematics, astronomy, botany, and ornithology. He took great pleasure in observing the changes and varied phenomena around him, and in corresponding respecting them with a few friends of similar tastes. There was scarcely a literary or scientific subject in which he did not feel deep interest. His hands sometimes prepared the more difficult apparatus for illustrating what he taught. For forty years, more or less, a portion of three generations claiming him as their teacher, he was employed in the town schools or the academy, being preceptor of the latter from 1830, during twelve years of its greatest prosperity.

He was town-clerk thirteen successive years, justice of the peace and quorum thirty-two years, assessor nine years, Representative to the Legislature of Massachusetts five years, and in 1819 a member of the convention which framed the constitution of Maine as a separate State. In 1848 he received from Bowdoin College the honorary degree of Master of Arts; and, when the proposition to confer it was presented to the overseers, such was the estimation in which he was held that it was immediately remarked, "It will be more for our honor than for his."

Having, as a land-surveyor, been frequently called to examine title-deeds and other documents, he early began to take down notes from the lips of the people of the town and vicinity; from which, by request, he furnished Mr. Williamson with many facts for his *History of Maine*, published in 1832. When I was collecting materials for a *History of the town of Union*, seeing Williamson's reference, I went to Warren and borrowed the manuscript, consisting of thirty or forty foolscap pages. I found it so interesting and instructive that I urged him to enlarge it into a town history and print it. His limited means, even

with the most rigid economy, requiring great diligence to enable him to meet his current expenses, he did not think favorably of the project. The next and succeeding years, calling on him, I continued to urge it. To make a book was a thing he never thought of; he did not know how to proceed to get it printed, even if it were written.

About this time he met with an accident which would have discouraged almost any other man in his situation from attempting such a work, but which stimulated him to do it. While bending a fir-sapling with one hand, and in the act of cutting it off with the other, a very small chip struck him in the eye. Feeling but little inconvenience from it, he tied a handkerchief over it, and employed his time in reading with the other. The inflammation extended rapidly, and he became totally blind, beyond relief from the most skilful surgical operation. In the breaking off of other employment consequent to this calamity, his attention was more particularly turned to these notes; and renewed appeals moved him to undertake a connected narrative from them for preservation in manuscript in the Social Library of Warren, "as a token of gratitude to that institution and a gift to his townsmen"; which ended in a resolution to write a complete history of the place from its earliest settlement. The result was the publication, in 1851, when he was sixty-seven years old, of a duodecimo volume, of nearly four hundred and fifty pages, entitled the "Annals of Warren; with the Early History of St. George's, Broad Bay, and the Neighboring Settlements on the Waldo Patent." The "primary object was the history of the town of Warren; but this, in its earlier stages, was found so blended with that of the neighboring places, that it was thought best to include a cursory account of their settlement, progress, and condition, down to their incorporation." The work contains a narrative of events from 1605 to 1850. The topics are numerous and interesting. The coast was early visited by Pring, Champlain, Weymouth, and others. In 1614, Captain John Smith, of Pocahontas memory, spent several months there, and was so delighted that, after his return to England, he published a book and map, and travelled over a great part of that country for the purpose of prevailing on the people to plant a colony at Monhegan, or in the vicinity.

For a long time St. George's was one of the frontier settlements. A few individuals were located there almost immediately after the landing at Plymouth. The fortifications were many times attacked by the Indians, and vigorously and valiantly, and always successfully, defended. On the point of land where the fort stood, Major-General Henry Knox, the confidential friend of Washington, erected his princely mansion; and within a few rods of it are the graves and gravestones of men and women who died there before the settlers had penetrated the wilderness even to a few miles in the rear. The same spot was visited by the royal governors of Massachusetts before the Revolutionary War; and there conferences with the Indians were repeatedly held. On the river and in the neighborhood, colonists from Ireland, Scotland, and Germany settled at different times, about the

middle of the last century. All these subjects were carefully treated. How so much of general interest could have been collected by him, blind, with very limited means, and at a distance from libraries, surpasses our comprehension. The book contains many graphic descriptions. Occasionally the author shows no mean ability in writing poetry. There is abundance of incident and anecdote. We are often struck with the beauty of the thought and the expression. We frequently find ourselves laughing at the humor; and before we are aware the tear is starting as we read the description of the sufferings of the fathers and mothers of the settlement. In accomplishing this he was aided by his invalid daughter Emily, unable to walk, or even to rise from her chair without help, who, with a modesty which can be appreciated by her friends, but which we think in this case she might with propriety have forborne, did not allow even her name to appear except in the map; and the reader does not know how many exhausting months she cheerfully labored for his entertainment and instruction. All the manuscript was prepared by her with lame arms, crippled hands, and jointless fingers; and while the work was in press, the proofs, left at the house late in the afternoon, by the stage passing by from Hallowell to Rockland, not unfrequently occupied the father and daughter nearly all night in getting them ready to be taken back early in the morning.

The reception with which the work met from the public was particularly gratifying to both the joint laborers, who, for years shut out from the world, had toiled together in a room by themselves to complete it. It was favorably noticed in "The North American Review," "Christian Examiner," and other publications, and, what is remarkable for a town history, more than enough copies to pay the cost were sold.

Being now relieved of the pressure incident to the publication of the work, Master Eaton gave additional attention, so far as his want of sight and limited means permitted, to the favorite pursuits which he had neglected. His love of nature and natural scenery was strong, and in gardening and orcharding he was enthusiastic. His yard, from the gate to the front-door, was filled, on both sides of the walk, with shrubs and flowers which he never beheld. He was able, nearly to his ninetieth year, to distinguish and name nearly every native bird by its notes or by the description. Almost every wild flower, plant, or tree, of field or forest, he could recognize. As his grandchildren grew up, he took great pleasure in teaching them, so far as their ages, capacities, or inclinations would allow, the languages, and all else that he knew. He toiled on his farm. He planted potatoes, waiting till they were well grown before he hoed them, feeling out and holding the vines with one hand while he worked with the other, lest he should destroy them. In haying he did not fail, by making careful and systematic movements, to use the rake to some advantage. Working a little at a time, as his "easily tired back permitted," he commonly sawed in the course of the year all the wood burned in three fires, "with a little help from the younger folks in putting on the logs," he wrote, a few months before he died; "and with such good exercise I ought to be, and I believe I am,

always cheerful." By the aid of kind friends, and sometimes led by his grandchildren, he visited his townsmen. Taking his staff, he often went, unaccompanied, more than a mile, to the post-office. By the aid of others, and particularly of his invalid daughter, he kept himself well informed of what was current in literature, science, politics, and history. He published a poem, fourteen pages duodecimo, entitled, "Woman: an Address delivered to the Ladies' Sewing Circle, Warren, Me., at their Anniversary Meeting, Feb. 9, 1854." He made several prose and poetical contributions to newspapers, particularly to "The Christian Register." He carried on some correspondence; and, judged by the remarks of some of the best *belles lettres* scholars of the country, the letters dictated by him in his blindness, if printed, would take a place among the finest specimens of epistolary correspondence in the English language. He was a pioneer in the progress of public opinion. He was an abolitionist in the early and unpopular days of abolitionism. While working at Watertown, he had been deeply impressed with religious subjects; but, in spite of his inclination to be an Orthodox Christian, according to the doctrines as then taught, he could never fully reconcile himself to the prevalent belief. After becoming acquainted with the writings of Channing and Norton, and hearing some able advocates of their views in his vicinity, he became a confirmed Unitarian; and, on the formation of a Unitarian Church in Thomaston, he became and continued to be a member till the death of its minister, the Rev. Oliver Jordan Fernald, whom he loved as a brother, and the dissolution of the society. Afterward, he occasionally attended the Congregational church in Warren.

The active mental sympathy of father and daughter, which had produced the "Annals of Warren," craved the renewal of similar employment. Accordingly, in 1859, at the age of seventy-five, — eight years after that work was published, — he writes, "I am just now beginning to ask myself whether I am able, and had better make an attempt, to write the history of Thomaston and the lower St. George." An able essay of George Prince, maintaining that the river explored by Weymouth was not the Penobscot or Kennebec, but the St. George's, "has given a fresh impulse to an old inclination; but at my age, and in my situation, together with Emily's uncertain health, I know not but I had better let it subside as an idle dream." It needed but little stimulus to induce him to proceed in the work. He took hold of it with his wonted resolution, and pursued it under the complicated difficulties of non-residence, the removal and death of the more aged and eminent citizens, the anxieties and distractions of the war of the Rebellion, and severe domestic trials. He went there repeatedly, was cordially and hospitably received as he passed from house to house, and was assured of pecuniary encouragement. "A sprightly little girl of twelve years, daughter of Captain H. Spalding, volunteered to guide the steps of the blind author in his wanderings through the village of South Thomaston, and afterwards copied for his use all the inscriptions from the cemetery there." The invalid daughter at home resumed her labors, the manuscript was finished and sent to the printer, and the printing was com-

menced. The proof-sheets were coming in rapid succession, when the author's only son, with whom he and his invalid daughter lived, and on whom they mainly depended for support, died after several years of ill health, attended with much expense, leaving to his care a widow and eight young children. His resources were nearly exhausted. Taking courage from our long correspondence, and the aid I had rendered him in his researches, he wrote to me, modestly suggesting, if convenient and I was willing, to pay in advance my subscription, and trust to his honor till the work was out, the remittance would "aid him essentially." All difficulties were overcome, and the history of Thomaston, Rockland, and South Thomaston, Me., from the first exploration in 1605, with family genealogies, in two volumes duodecimo, was published in April, 1865, when the author was eighty-one years old, adding to the reputation gained by his former work.

The hand of Providence continued to be laid heavily upon him. In a worldly point of view he never was one of fortune's favorites. To a man in his circumstances, a very small loss of property was a great loss. His crops were repeatedly injured or destroyed by the drought. A gale tore up by the roots four of his best apple-trees, and unroofed his barn. At another time half an acre of potatoes, which he had laboriously planted and hoed, and on which he placed great dependence for the approaching winter, were blasted and ruined in a single night. In the year after his last work was issued, six of his family were successively prostrated with typhus fever. The next year, consumption carried off a highly educated and accomplished granddaughter, and in two or three months afterward another followed her. Emily's infirmities increased, and he felt that the feeble but devoted sister, on whom she as well as her father leaned, was tasked beyond her strength. But under all these trials he never repined. He spoke to me as calmly of the inconvenience he experienced from blindness, in making researches, as if it were another's experience. Once, after alluding to some of his severe trials, he wrote, "Our lot is seldom so hard and dark but that if we look we can see gleams of God's mercy shining through the clouds."

With this spirit he naturally prized highly the privileges and blessings he enjoyed. His works led to correspondence with several persons of whom he thought much. Gifts of small sums, sometimes coming from unknown benefactors, occasionally gladdened the hearts of father and daughter, and bridged over hard passages in their lives; and once, when fifty dollars was received, it seemed so large that they made an appeal to the agent through whom the anonymous benefaction came to ascertain if there was not some mistake about it. Friends and acquaintances brought plants and flowers, and listened to his words of wisdom. On Christmas-day, about a year before he died, "we had many callers, especially little folks, offering us shares of their goodies." The last letter I received, written as usual by his invalid daughter, dated January 14, 1875, gives the particulars of a surprise party, consisting of ladies and gentlemen, chiefly from Thomaston, headed by the excellent wife of the warden of the State Prison, who brought "tokens

of their respect for the blind author of their history," and of his "gratification in being so kindly and sympathizingly remembered in the retirement which age and infirmity necessarily bring."

Just one week afterward, retaining his mental powers vigorously till the day before he died, during which only he was confined to his bed, at one time assisting his grandson, as he thought, in solving a problem in algebra, he went as quietly as a child to sleep.

"Of no distemper, of no blast, he died,
But fell like autumn fruit that mellowed long;
E'en wondered at because he dropped no sooner.
Fate seemed to wind him up for fourscore years,
Yet freely ran he on ten winters more;
Till, like a clock worn out with eating time,
The wheels of weary life at last stood still."

The thirty years he had travelled in darkness were ended. He never saw any except the oldest of the eight fatherless grandchildren left to his care at the death of his only son. His eyes never rested on either of the works on which he had spent years of toil. The joint labors and the infirmities of father and daughter had strengthened their natural affection, so that the life of the one seemed almost necessary to the existence of the other. The father was taken and the daughter left.

Within one week after his death, the other daughter, relieved of the care and anxiety with which she had devoted herself for more than thirty years to the welfare of her father and Emily, also passed away, leaving the invalid daughter and six grandchildren, one of them a recent graduate of West Point, now stationed in Arizona, as the only descendants of a very remarkable man, whose example and influence, in a limited sphere, command greater admiration than is conceded to nobles and princes.

The Recording Secretary read the following letter from the President of the Society, in which he speaks of the losses sustained in the decease of Dr. Walker, Mr. Sprague, and Mr. Almack. The death of Mr. Sprague had been prematurely reported to him by a few weeks.

CANNES, Jan. 14, 1875.

MY DEAR MR. DEANE, — I am with you in spirit, though not, alas! in person, at the monthly meeting to-day. Your last favor, of December 20, describing, among other things, your visit to our venerated friend, Dr. Walker, reached me on the evening of the 7th inst.; and, on opening my "Galignani" the very next morning, I found that the event your letter had foreshadowed was already announced. I sympathize sincerely with you, and with all our friends, on the loss of one so respected and beloved. He was the last of those four illustrious Ex-Presidents, whom Harvard used to welcome so proudly at her festivals,

— Quincy, Everett, Sparks, Walker. It seems but yesterday since they were all assembled on my right hand and on my left, when I was President of the Alumni, at one of the most memorable of our annual dinners. The genial Felton was there, too, not yet clothed with the presidential robes, which he was doomed so soon and so sadly to leave to another. They were all members of our Society, and have all left their marks on our records. I remember well that, when Dr. Walker was nominated, there was little expectation that we should have any thing more than his name. We elected him only in recognition of his official relations to the University. But he became, as you know, one of our most punctual and interested associates, and was rarely absent from our meetings as long as his infirmities would allow of his climbing up to our Dowse Library. How many brief, felicitous words he has uttered, in his quiet way, in paying tributes to those who have gone before him! He certainly had the faculty of saying as much in a few sentences as any one I ever listened to. I was not in the way of hearing many of his sermons; but there was one, at least, which left a deep impression on me. It was delivered at the inauguration of Dr. Huntington, as the new Plummer Professor, and the text of which — “Behold, I stand at the door and knock” — comes back to me at this moment, as it has a hundred times before, in his earnest, impressive tones. He had a calm, solid, sententious manner of statement and of delivery which was better than any rhetoric, and which at once bespoke conviction on his own part, and carried conviction to his hearers.

I do not forget the two admirable memoirs which he prepared for our Society, of Judge White and President Quincy. Who will prepare as good a memoir of him! Nobody could do it so well as Dr. Ellis; but I dare say it will have been assigned before this reaches you, and I will add nothing more on the subject, except a renewed expression of my sympathy on the loss of so good and so wise a man.

I hear also of the death of another of our veteran associates, Charles Sprague, whom we never, even once, I believe, had the pleasure of welcoming to our meetings, but for whom many of us entertained a very warm regard. His Phi Beta Kappa poem gave him an early and deserved celebrity. He delivered another, if I rightly remember, at the second centennial celebration of the settlement of Boston, when Quincy pronounced that grand historical oration. But there are a few of his occasional verses which will live longer than either, and which cannot fail to embalm his memory among the poets of New England. An amusing mistake in one of the editions of Vapereau's excellent Dictionary (*“Des Contemporains”*) confounds him with our worthy corresponding member, the Rev. Dr. William B. Sprague, and represented him as having devoted the later years of his long life to preparing five or six volumes of *Pulpit Annals*! I hope he may have left any thing half as interesting and valuable, as the result of his long absence from the public eye. Since his retirement from the Globe Bank, it has been a rare thing to see him anywhere; but no one who ever met him on 'Change, in old times, can forget the winning and

genial heartiness of his manner, his eager, animated look, and the cordial, affectionate greeting with which he always accosted a friend. I am sure that Dr. Holmes or Mr. Waterston will prepare a notice of him for our "Proceedings," if Mr. Adams has not already made the appointment.

One more death remains for me to notice before turning to other topics. It is that of our oldest English Corresponding Member, and one of my oldest and best friends on this side of the Atlantic,—Mr. Almack. He was, as you know, from the old county of Suffolk, and took the warmest interest in every thing which related to its history in the days when so many of the founders of New England were living there. Mr. Savage knew him well; and it was upon his nomination that Mr. Almack became one of our members, more than thirty years ago. Both Mr. Savage and myself have been indebted to him for valuable information, as well as for personal hospitality. I do not know where we shall look for any one who will be interested and able to help us in matters connected with old Suffolk as Mr. Almack has helped us. My excellent friend, the late Hon. Nathan Appleton, was always glad to acknowledge Mr. Almack's kindness and his thoroughly antiquarian spirit, as his son, our accomplished and vigilant Cabinet-keeper, I am sure, will also do. Both of them, I believe, had partaken the hospitality of Long Melford, and had seen, as I have done, something of the rich collection of antiquities which were accumulated there. While I was in London, last summer, Mr. Almack brought me to look at the original of William Penn's Charter of Liberties; and about the same time he was exhibiting to the London Society of Antiquaries, of which he had long been a member, a number of the original letters of Lady Rachel Russell. These will serve as specimens of the rare and precious things which he was continually picking up. His antiquarian taste and knowledge and zeal were better than any "divining rod" to point out the spots where treasures of this sort were hidden, and to enable him to secure them. Now that the Historical Papers Commission is at work so diligently, such treasures will be less likely to fall into private hands. I must not forget that the copies of this Commission's Reports, which I have so recently sent to our library, were procured through Mr. Almack at my request, and that one of them, no longer to be purchased, was kindly supplied from his own duplicates. I shall miss Almack not a little as a correspondent and friend. He was always one of the first to welcome me to England, and one of the last of whom I took leave. I was to have paid him a visit next July, and go with him again to Groton. He was my guide there on my first visit in 1847. But man proposes, and God disposes.

Let me only add to this hasty notice the subjoined article from the "Suffolk and Essex Free Press," which has just reached me, and which gives the details of Mr. Almack's career, with a just tribute to his character:—

"DEATH OF RICHARD ALMACK, ESQ., F.S.A. — It is with sincere regret we announce the death of Richard Almack, Esq., which occurred at his resi-

dence, Long Melford, on New Year's Day, after a few weeks' illness. The deceased gentleman, who was aged seventy-five years, succumbed to an attack of congestion of the lungs and slight pleurisy; he had been gradually sinking for some days, so that his death was therefore not unexpected; but his loss will be severely felt in the parish as well as a wide district and country round, where he was universally esteemed by all who knew him. Mr. Almack was born on the 4th May, 1799, at Cherriburton, in the County of York, and settled at Melford in the year 1822, where he afterwards resided in the same house for the long period of fifty-two years. He married in 1832 Frances Horn, daughter of Lieutenant-Colonel Horn, formerly of the King's Dragoon Guards, a family of long standing in the County of Kent, by whom he had four daughters (one still unmarried) and one son, who survive him. The late Mrs. Almack's brother is Lieutenant-General Sir Frederick Horn, K.C.B., who greatly distinguished himself in India and in the Crimean War. Mr. Almack had an extensive practice as a solicitor, and was for many years clerk to the magistrates of the Melford Bench and Clerk to the Commissioners of Taxes for the Hundred of Babergh. On the passing of the County Court Act he also received the appointment of Chief Clerk of the Essex Courts. Mr. Almack, however, resigned all these appointments a few years since; and, as a mark of the esteem in which he was justly held, his name was at once sent up to the Lord Lieutenant, who transmitted it to the Lord Chancellor, and he was immediately placed in the Commission of the Peace for the County, taking an active and most painstaking part in the administration of justice at Melford and occasionally at Boxford. Mr. Almack was widely known throughout the Eastern Counties, and indeed all over the kingdom, as well as in foreign parts, as an antiquarian of very high repute. He was deeply learned in antiquarian lore, and at all times displayed an ardent love of archaeology, whilst his contributions to various local records were always esteemed as most valuable. He was especially fond of dwelling on the history of the noble church of his own parish, upon which subject he contributed a very able paper to the 'Journal of the Suffolk Archaeological Society.' When the church was under restoration some years ago, he devoted a great deal of time to the superintendence of the work, whilst the interesting stained glass, now seen in the windows of the chancel, were also collected by him in scattered fragments, from various parts of the sacred edifice, and arranged with an amount of skill and patience which did him infinite credit. In 1831 he was elected a Fellow of the Society of Antiquaries, being at the time of his lamented decease one of its oldest members. Mr. Almack was also well known and esteemed in America, and had frequent correspondence with gentlemen making historical researches there. In 1842 he was elected honorary member of the Massachusetts Historical Society; in 1863, an honorary member of the Historical Society of Pennsylvania; and in 1871, a corresponding member of the New England Historic-Genealogical Society. Naturally he was very fond of ancient documents and relics. At a meeting of the Essex Archaeological Society, held some years since at Castle Hedingham, he exhibited a most interesting letter from the Earl of Oxford, then residing there, and who, expecting to be beleaguered, wrote for troops to be sent him to help defend the castle. Once travelling in the train with him, the writer of this article recollects with what pride Mr. Almack showed him an original grant of land, made to the grandfather of Oliver Cromwell, in the reign of King Henry VIII., and how his keen eyes glistened as he pointed to its fine preservation and the beauty of the calligraphy. Mr. Almack will be much missed in Melford, where he was well known for his affability and unostentatious kindness, ever having a kind word and greeting for both rich and poor alike, whilst he was ever ready to promote a spirit of unity and sociality amongst the parishioners, which tends so much

to harmonize and indeed to success in public matters, so that he was deservedly beloved by all.

"The funeral takes place to-morrow (Thursday), when the remains will be interred in a vault in the Lady Chapel of Melford Church."

Yours sincerely,

ROBERT C. WINTHROP.

CHARLES DEANE, ESQ., LL.D.

Mr. Quincy was appointed to prepare a Memoir of Mr. Sprague; and Mr. Foote, one of Dr. Walker, for the Society's Proceedings.

MARCH MEETING, 1875.

A stated monthly meeting was held on the 11th instant at 11 o'clock A.M., Vice-President ADAMS in the chair.

The Recording Secretary read the record of the preceding Meeting, which was approved.

The Librarian read his list of donors to the Library for the past month.

The Corresponding Secretary read a letter of acceptance from Professor C. F. Dunbar.

The Chairman reported a recommendation from the Council to transfer the following names from the Corresponding to the Honorary list, — namely, the Rev. Leonard Woods, D.D., LL.D.; David Masson, LL.D.; John Forster, LL.D., — and the recommendation was unanimously adopted.

The Hon. Charles Devens, Jr., was elected a Resident Member.

Messrs. Saltonstall, A. T. Perkins, and Smith were appointed a Nominating Committee, to report a list of officers for the Annual Meeting.

Messrs. Lawrence, Mason, and W. Amory were appointed a committee on the Treasurer's account.

The Chairman laid before the Society the following letter:—

To the President of the Massachusetts Historical Society.

SIR, — The Inhabitants of the Town of Concord, Massachusetts, cordially invite a delegation from the Massachusetts Historical Society to be present as their guests at Concord, on the nineteenth of April, 1875, and to join with them in celebrating the Centennial Anniversary of the opening of the Revolutionary War.

E. R. HOAR,	} Committee of Invitation.
R. W. EMERSON,	
GEORGE HEYWOOD,	

Whereupon it was *Voted*, to accept the courteous invitation on behalf of the inhabitants of the Town of Concord; and that the Council be requested to represent the Society as delegates on the occasion.

DR. QUINT said, — In these times of centennials of Revolutionary events, it is well to be accurate in our statements. I notice that some reputable newspapers have fallen into the error of regarding the Salem North Bridge affair, of February, 1775, as the first armed resistance to Great Britain. It is, of course, scarcely necessary to remind any one present of the first affair at Great Island, below Portsmouth, N. H., when, on the 14th of December, 1774, a party moved by beat of drum in the streets of Portsmouth, with reinforcements from neighboring towns, scaled the walls of Fort William and Mary, confined the small garrison, and carried off ninety-seven barrels of powder, most of which was used at Bunker Hill. It may not be fresh in mind, however, that the assault was resisted by both artillery and musketry fire, and that the patriots not only "gave three Huzzas," but also deliberately "hailed down the King's colours." A vain tradition has obtained some circulation, that this attack was a night surprise. It was at three o'clock in the afternoon, and the commander of the fort had had three hours' notice of the approach. The commander's official report, as well as three or four letters of Governor Wentworth, and an account of the seizure given in the Portsmouth paper of a few days' later date, are sufficient evidence.

Ebenezer Bennett was the last survivor of the Durham party, which was led by John Sullivan. The veteran died in 1851; but I heard a statement of his recollections taken from his own lips, and the traditionary spot where the powder was hidden (under the pulpit of the old Durham meeting-house) was familiar to me in boyhood.

Unless some earlier affair appears, I think that this capture must be regarded as the first armed resistance.

On motion of Mr. WHITMORE, it was *Voted*, that the Committee on the Sewall Papers report at the next meeting the probable cost of transcribing so much of those papers as will be required to make one printed volume.

Mr. NORTON exhibited a cast of the face of Cromwell, in plaster, recently taken from the original mask, and thought by Mr. Carlyle, from whom Mr. Norton read an interesting letter respecting it, to be the best likeness now extant of the Protector.

Mr. T. C. AMORY called the attention of the Society to a

new serial of the Proceedings on the table, which contained the letter of Luzerne to Vergennes, relating to General Sullivan. He hoped the letter would be read with care, believing as he did that the inferences which have been drawn from it by the historian are unwarrantable.

Mr. WHITMORE referred to some letters recently published in "The St. Chrysostom's Magazine" in New York, purporting to be written from Boston, by the Rev. Robert Ratcliffe, the first Episcopal minister in Boston, — saying he thought there were good reasons for doubting the genuineness of those letters.

Dr. QUINT stated that he had made a complete copy of "Pike's Journal," in the Society's Library, with some notes to it, for publication in the Society's Proceedings, and he would place his copy in the hands of the Committee of Publication.

Mr. ADAMS exhibited a copy of an oration *professing* to have been delivered by Samuel Adams in Philadelphia, August 1, 1776, republished in London, from a Philadelphia imprint. The existence of such a pamphlet had been well known; but Mr. Adams said there was no evidence that Samuel Adams ever delivered such an oration, nor had there ever been discovered a copy published in Philadelphia.

The Cabinet-keeper communicated a gift of a piece of glass once forming part of a window in a house in the town of Wilmington, Mass., on which was inscribed, with a diamond or some other hard substance, these words: "August 2, 1769, the infamous governor left our town." The gift was made by Dr. Samuel A. Toothaker, of North Reading, formerly a resident of Wilmington. The inscription is supposed to refer to Governor Bernard.

Letters from the President of the Society had been received by the Recording Secretary dated at Cannes, 19th and 30th January, and 5th February, — the first containing a slip from the *Journal des Débats*, noticing the decease of our distinguished Corresponding Member, "M. d'Avezac, Membre de l'Institut, Président Honoraire de la Société de Géographie," who died on the 14th of January, at his own house in Paris, Rue du Bac, 42.

Professor WASHBURN read the following paper discussing a recently mooted question as to whether the Colony laws enacted under the first Massachusetts charter were repealed by the vacating of the charter:—

Did the Vacating of the Colony Charter annul the Laws made under it?

I propose to tax the indulgence of the Society with some remarks bearing upon the question whether the vacating of the Colony Charter

in 1684, by a decree in the English Chancery, annulled the statutes which had been enacted under it, or whether the adoption of the Province Charter of 1691 had that effect? The question, indeed, has no practical importance, except from the historical interest which surrounds it; and the occasion for its discussion has grown out of the progress of the work now going on under the charge and editorial labors of two of our honored associates, whereby the public are to be put in possession of a complete collection of the Province Laws of Massachusetts.

A writer in the Boston "Globe," in noticing the second volume of this work, takes occasion to remark that "there has been no general repeal of the provincial statutes, whereas, of the colonial statutes, it was the law of the day, and so regarded at the time, by everybody on both sides of the Atlantic, and for a century afterwards, that by the arrival of the Province Charter, after the repeal of the Colonial Charter, the statutes passed by the colonial legislatures had become annulled." The writer, it will be perceived, ascribes this effect "to the arrival of the Provincial Charter;" and he adds: "This view of the subject was expounded by President John Quincy Adams, historically and constitutionally, in his discourse on education at Braintree on the 24th October, 1839."

If it were true that the question had been settled by so high and competent an authority as that which is cited by the writer, it might seem presumptuous to treat it as an open one. But the language of the discourse referred to hardly seems to warrant such an assumption. It is this: "By the vacation of the charter, all the preceding colonial laws were *understood* to have been superseded with it." This is all that he says upon the subject; but, instead of being a judgment formed, it was but repeating the popular impression, without stating or examining the grounds upon which it rested. That such an impression prevailed with many in the community, is, undoubtedly, true. But I propose to ask you to look at the point historically, and see if there is any thing in the transaction itself, or in the action of the people through their representatives, which could justify the assumption that it worked such an effect, or that this was conceded by the people of Massachusetts at any time after the dissolution of the old charter?

Let us, in the first place, see what powers of government, as to making and administering laws, were conferred upon the people of Massachusetts by their Colony Charter. They were made a corporation consisting of a Governor, Deputy-Governor, Assistants, and the Freemen of the Colony. The freemen, acting with the Governor and at least six Assistants, might choose freemen, and elect such officers as they should see fit, "for the ordering, managing, and despatching of the affairs of the said Governor and Company and their successors, and might make *laws and ordinances* for the good and welfare of the Company, and for the *governing* it, and ordering of the said lands and plantations, and the people inhabiting and to inhabit the same, as to them shall be thought meet, so as such laws and ordinances be not contrary or repugnant to the laws and statutes of their own realm of England";

"giving," thereby, in the words of Judge Story, "full legislative power." (1 Const. 48.)

Under this power the Colony allotted and conveyed lands to individuals, beginning as early as May, 1629. In 1641, an ordinance took from the State or sovereign the property in the shore or lands lying between high and low water mark upon the borders of the sea, and gave it to the conterminous owners of the upland, to which I refer here for reasons hereafter mentioned. Towns were also created with sundry important municipal powers and privileges, so that when the charter was revoked there were seventy-five of these municipalities in Massachusetts, and seventeen in Plymouth, and sixty thousand inhabitants had then been collected under this form of government in Massachusetts alone. What should be classed as crimes and what should be their punishment, by whom marriages should be celebrated, what should be the privileges of freemen and who should share them, the founding and establishing a system of free schools, and the adoption and promulgation of a Body of Liberties answering to a Bill of Rights, were among the acts of colonial legislation under which a body politic had grown up in the enjoyment of what was symbolized by these and kindred laws. It was while in the enjoyment of these privileges that a decree was rendered in the English Chancery, without any opportunity on the part of the Colony to be heard, by which, in the language of the Province Charter, the patent or charter of Charles I. was "cancelled, vacated, and annihilated."

The inquiry which now presents itself is, What effect, if any, did this action of the Court of Chancery have upon the existing laws of the Colony? As we pursue this inquiry, it may be well to bear in mind that the people of the Colony never regarded the judgment vacating their charter as valid, for the reason already mentioned, that they had had no opportunity to meet the charges upon which it was rendered. And it may be inquired, if it had the effect to annul these statutes, where are we to find the laws by which the people were governed between 1684, when the judgment was rendered, and 1692, when the new charter went into effect? If the Colony laws were annulled, the condition of the people would have been far worse than if they had been conquered by an enemy, and a new government been instituted over them. Such a conquest would not, of itself, have repealed any of the existing laws, nor changed the titles or rights of property in the lands of the citizens. (Montesq. B. 10, c. 3; Wheat. pt. 4, c. 2, § 5; 12 Peters, 436; 1 Kent, 178 m.) And as for the common law which the colonists brought with them from England (1 Mass. Rep. 59; 2 do. 534), it is difficult to imagine how it could have been affected by the revocation of the charter, since it derived its force and vigor from a source as high as the charter itself.

If we refer to writers upon the subject, with a very few exceptions, they speak of those colonial laws as still in force, so far as they bear upon the present condition of the people of the Commonwealth. Mr. Dane regards the ancient colonial statutes as being still important, "as they make parts of our titles." (6 Abr. 537.) And when speaking

of the ordinance in respect to the "flats," of which I have spoken, he says: "It never was denied on the King's part, by him or any of his officers or Governors of the Colony, that that law had force. On the contrary, all parties recognized it and practised upon it as a proper and valid law." Judge Sullivan, in his treatise on our Land Titles, regards the law here spoken of as having been, practically, in force ever since 1641. (p. 285.) There is no doubt, however, that opinions have at times prevailed in the community that the colonial statutes were annulled by abrogating the charter. Thus we find in one place the judges of our court, when speaking of the sources of our common law, using this language: "To these may be added some ancient usages, originating, probably, from laws passed by the legislature of the Colony of the Massachusetts Bay, which were annulled by the repeal of the first Charter." (2 Mass. Rep. 534.) And C. J. Parsons, in speaking of the ordinance in relation to the "flats," already mentioned, says: "This ordinance was annulled with the charter by the authority of which it was made" (6 Mass. R. 438); and in another case he speaks of an ordinance having "expired with the first charter." (7 Mass. R. 20.)

I shall have occasion to cite from other writers before I close; but I may remark, in passing, that I nowhere find any ground stated upon which such an assumption can rest, nor any reason offered for adopting it. It seems to have been accepted as a traditional dogma, coming down from the time of Andros, who assumed to act upon it in his iniquitous proceedings as Governor of the Colony. Sullivan says: "The charter being vacated, he claimed all the lands of which the Colony was formed as the right of the Crown. Those which had been granted he considered as having already escheated to the sovereign power, and demanded of the occupants that they should receive new grants upon such conditions, and under such fines, as he should choose to impose. The land not granted, he disposed of as he pleased, without control." (p. 54.) And in the famous trial of the Rev. Mr. Wise, in 1687, one of the judges told the prisoner, "You have no more privileges left than not to be sold as slaves." And Dr. Palfrey gives what he calls the *theory* of Andros's government, that "in English law every right, privilege, and immunity which had been founded upon the charter, fell with the charter." (3 Hist. 513.) This, it will be remembered, extended to the titles of lands. But I do not find that the people of the Colony, by any act of their own or that of their officers, recognized a doctrine so hostile to every principle upon which their government had been founded and built up. Nor can it escape observation that no such consequences as are here presented as having resulted from the abrogation of the charter, were supposed to have followed the changes and overthrow of the successive governments at home, when the royal power which granted the charter was subverted, and a Commonwealth established upon its ruins, followed by a restoration of the Crown, and the radical changes brought in at the Revolution of 1688, all of which occurred during a period of forty years of the life of the Colony. But if the statutes which depended upon the charter were, in fact, annulled by its being abrogated, why was not the

charter itself annulled by the abrogation of royal power from which it proceeded? Besides, it would be doing violence to the well-settled doctrines of the common law to hold that a citizen might be deprived of his private vested rights of person or property by a judgment of court, to which he was no party, and had no opportunity to be heard in his own defence.

The notion which appears to have prevailed, to some extent, that such was the effect of the judgment against the Colony, may be traced, I apprehend, to two causes, — a disposition on the part of Andros to crush the spirit of the colonists, and overthrow the policy which they had pursued in Church and Commonwealth, and, what is more to the point, a failure to discriminate between abolishing the means by which the laws were administered and enforced, including courts and civil officers, and abolishing the laws themselves.

The charter was vacated in October, 1684, and the Colony received formal notice of the judgment in July, 1685; but the legislature continued to act in pursuance of a proclamation of the King "that all persons in authority should continue to exercise their functions" till May, 1686, a week before Dudley took possession of the government. But, so far from their records showing any evidence that they regarded themselves as without laws or charter privileges, their last act was to appoint a committee "for the repository of such papers on file with the Secretary as refer to our charter and negotiations from time to time for the security thereof, with such as refer to our title to our land, by purchase of Indians or otherwise." It is a little remarkable, if the statutes of the Colony had been thus annulled, that Dudley and his Council were not clothed with legislative power, although they were made a court of record, which seems to assume that there were still laws to be administered. (3 Palf. Hist. 480-485.)

So far as he did act, it would seem that he recognized the old laws as in force; for we are informed by Chalmers (p. 418) that he and his Council *declared in force* the ancient ordinances of the General Court, and that the laws and customs of the Colony, with its church, both in worship and discipline, continued the same. Dudley's brief administration was followed by the arrival of Andros, in December, 1686. His commission was very broad, giving him and his Council authority to "make, constitute, and ordain laws, statutes, and ordinances for the public peace, welfare, and good government" of the territory over which he was appointed Governor, "and of the people and inhabitants thereof." But these laws were to be transmitted to the King within three months for allowance or disapproval. He was authorized to hold pleas of the Crown and courts of judicature. And all proceedings then pending were to be confirmed "as if such courts had acted by a just and legal authority." (7 Mass. Hist. Soc. Coll., 3d ser. p. 140.) He and his Council issued a proclamation "that all officers, both civil and military, should be continued in their places of trust, and that *the laws*, not repugnant to the laws of England in the several Colonies, should be *observed* during his Excellency's pleasure." (8 Mass. Hist. Soc. Coll., 2d ser. p. 183.)

The only act of this legislative body in *reviving* any of the old Colony laws which I have found, was one relating to "rates, duties, and imposts" (3 Palf. Hist. 520), leaving one naturally to infer, that the laws which they did not see fit to change or amend, remained in force or "observed" as before. And this seems to be confirmed by following out what was done at the resumption of the charter, after the deposition of Andros, when the Convention of the Governor, Council, and Representatives of the Colony, in June, 1689, "declared that all the laws made by the Governor and Company of said Colony, that were in force on the 12th of May, 1686, except any that are repugnant to the laws of England, *are* the laws of this Colony, and *continue* in force till further settlement, to which all inhabitants and residents here are to give due obedience." (See 9 Gray Rep. 517.)

Thus far it is difficult to perceive what statutes or system of laws could have been referred to as something to be *continued, observed, &c.*, as being still in force, other than the very Colony laws which it is assumed had been *annulled* by a revocation of the charter. Such seem to have been the views of the legislature of 1812, and of the commissioners then appointed "to collect the charters and the public and general laws of the late Colony of Massachusetts Bay." These Commissioners, Nathan Dane, William Prescott, and Joseph Story, state that "the Colony laws passed between 1672 and the charter of William and Mary were found to be generally *in addition* to the former Colony acts," which is not easily reconcilable with the idea that these laws had been annulled, and had ceased to be a thing which could be *added* to.

My object in this is to see, if I can, whether the people or the government of Massachusetts ever *acted* as if they supposed their laws had been annulled by the loss of their charter. Hutchinson, it is true, treats this as an historical fact, when he says, "After vacating the Colony laws under the old charter, by the publication of the new charter, there was room to *question* what was the rule in civil and criminal matters, and how far the common law and what statutes took place." (2 vol. 13.) So Mr. Barry, when speaking of the organization of the government under the new charter, says: "At once the question arose, and a serious question it was, how far that instrument extended, in its effect, upon the laws which had been enacted under the Colonial Charter. Obviously if it invalidated all these laws, a new code must be framed, or the old code revived. Accordingly, at the first session of the General Court, an act was passed confirming the former laws until the following November." The terms of this act did disclose that all local laws of the late Governor and Company of Massachusetts Bay "do remain and continue in full force" until the next November. But if the revival of these statutes depended upon this act of the provincial legislature, it will be found to fail altogether, since this very act was itself annulled by the Crown (1 Prov. Laws, 100; 9 Gray Rep. 518), and I nowhere find it re-enacted or revived. It is easily to be ascribed to the formal recognition of laws, made under one organization of the government, as continuing to exist under a new

one, as was done in the instances already mentioned, and was repeated when the Constitution of Massachusetts was framed (ch. 6, § 6), declaring that "all the laws which have heretofore been adopted, used, and approved in the Province, Colony, or State of Massachusetts Bay, and usually practised on in the courts of law, shall remain and be in full force," &c., which clearly embraces the common law as well as the statutes then in force. Nor was it ever pretended, that I ever heard of, that these statutes, much less the common law, would have been annulled by adopting this constitution, if no such clause had been inserted in it. It seems, at best, to have been a mere declaratory act, affirming an existing truth in legislation. It was not deemed necessary, I believe, when the General Court in May, 1776, abrogated the style and authority of the Crown, and took that of "the Government and People of Massachusetts Bay." And it is hardly to be presumed that the same people who made this change, and acted upon it for more than four years, should have thought it to be necessary to insert a clause in their constitution to give validity and effect to the laws which "the government and people" had been making in the mean time.

If we look to the Province Charter itself, I can find nothing in its phraseology which seems to suggest any necessity to re-enact or revive any prior laws, in order to secure to the people any of their rights of person or property. It is a matter of historical truth that a great jealousy prevailed in some who had an influence in the English politics, against the free *tenure* under which, by the Colony Charter, the people of Massachusetts held their lands. This feeling was especially strong on the part of Andros and his supporters. (Sullivan's Land Tit. 55.) But the new charter declared that all lands which had been granted by any General Court formerly held, should "be hereafter held and enjoyed according to the purport and intent of such respective grant."

It recognized no occasion to renew old grants in order to *revive* titles. It confirmed the *tenure* by which lands were to be held. Nor does it anywhere contemplate any occasion to re-enact or resuscitate laws which had before existed. And Chalmers, when speaking of the effect upon the people of the Colony of the change in their charter, says the new Governor, Sir William Phipps, was received with sorrowful pomp in May, 1692. "Yet the change of rulers made little alteration in the government. Nearly the same persons continued in power, pristine customs remained, and, what was of still greater influence, the ancient habits of an unmixed people still urged their pursuits." (Hist. 235.)

The conclusion to which these considerations lead us, that the rescinding of the charter had no effect upon the existing laws except such as derived their immediate force and validity from that instrument, — such, for example, as created the powers and duties of courts and civil officers, — will, I think, be sustained by the published opinions of some of our most eminent and learned jurists.

The commission to which I have already alluded, appointed to collect the charters and the public laws of the late Colony and Province, in carrying out their work, profess to have reference to the clause of

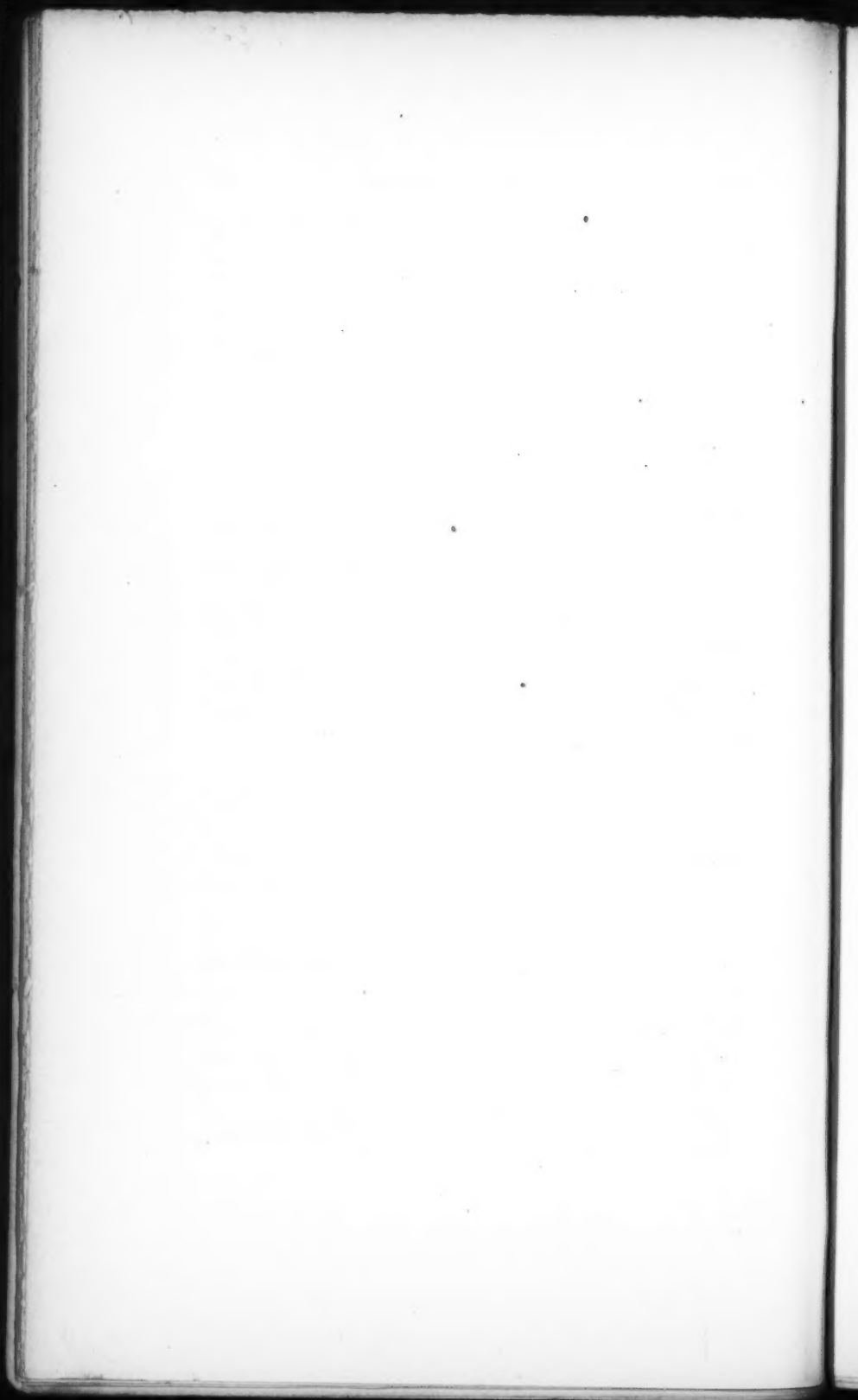
the constitution above quoted, continuing in force these Colony laws, and give us nearly two hundred pages of proper Colony laws which were published by the legislature as entering into and forming a part of our present jurisprudence. No copy of the "Body of Liberties" of 1641 was then accessible to these commissioners. But one was afterwards discovered by the late Hon. Francis C. Gray, and published by him, together with an account of the several editions of the Colony laws which had been printed from time to time. He was a man of great learning and thorough research, but he nowhere intimates that these laws had been annulled, but, on the contrary, remarks that "the discovery of the 'Body of Liberties' may have an important bearing on law-suits now pending and involving the title to a great amount of property." (8 Mass. Hist. Coll., 3d ser. p. 215.)

I have spoken of a Colony ordinance by which the property in the shore or flats along the borders of tide-waters was transferred from the Crown or State to the riparian owners of the lands to which they are adjacent, and which was assumed by C. J. Parsons to have been annulled by the revocation of the charter, as has been stated. The question has since been revised by the late and present Chief Justices of the Supreme Court, in the light of whatever discoveries had been made by more recent researches into colonial affairs. And it is remarked by C. J. Gray, that "There was nothing in the repeal of the Colony Charter, or in the Province Charter, or in any intermediate proceedings, to reduce Massachusetts to the condition of a conquered country, in which, alone, has it ever been pretended that private rights are affected by a change in the form of government." (9 Gray's Rep. 518, n.)

C. J. Shaw, in an earlier volume of the reports (7 Cush. Rep. 76), when speaking of what had been said by C. J. Parsons upon the subject, says: "The strict correctness of this remark may, perhaps, be doubted, even though the decree in Chancery of 1685, by which the charter was adjudged forfeited, were regular and valid, which we believe has never been admitted here. In general, a revolution or change in the form of political government, does not annul the municipal laws regulating property, or divest rights of property acquired under them. If the remark was intended only to intimate that the *jus publicum*, the right of governing, controlling, and regulating the sea and sea-shores, and the powers and prerogatives of the King for the protection of public rights, which had been transferred to the Colonial Government by the charter, would be taken away by a valid revocation of the charter without affecting private rights already vested, it may be admitted to be correct." But this course of reasoning negatives the idea of a general annulment of the Colony statutes. And a writer in the 3 Am. Jur. 118, who seems to have given the matter much thought, when speaking of this dictum of C. J. Parsons, says: "It is indeed a startling proposition, that, when a charter is made for the government of a numerous, civilized, wealthy, and free community, with full powers to make laws, provide for the administration of justice, and perform all the functions of government, if

such charter is annulled, all the laws made during its existence are deemed also to be annulled with it. It would, certainly, seem not to be well founded, if it were held to extend to the annulling of vested rights, and it is difficult to perceive any limit, short of that extent, at which it would stop; for, if these rights depend upon such laws for their maintenance and support, the annulling of such laws would serve to destroy the rights depending on them. Such, it is believed, has not been the distinction when charters of this description have been repealed, or annulled."

Without detaining the Society any longer with this description, I owe them, perhaps, an apology for having wearied them with a matter whose chief interest is derived from its being a point in our early history. I was led to take it up, as a matter of investigation, from seeing the position assumed and advocated in a respectable journal of the day, by which, if well founded, the people of Massachusetts Bay, who, for more than fifty years, had enjoyed the rights and privileges of citizens of a free Commonwealth in the exercise of self-government, must have been suddenly, and without recompense or relief, rendered outlaws and aliens, with no means left for vindicating the rights which they had purchased at such a cost, and maintained at such a sacrifice. It seemed to open an inquiry which, as students in our own local history, we ought to be able to answer. And the further I have pursued it, the more strongly I have been impressed with the connection there is between the study of a people's laws and the history of their habits of thought, their social condition, and the political and economical changes through which they have been passing, and have ceased to wonder at the tenacity with which the colonists clung to their charter, and the laws to which it had given rise.



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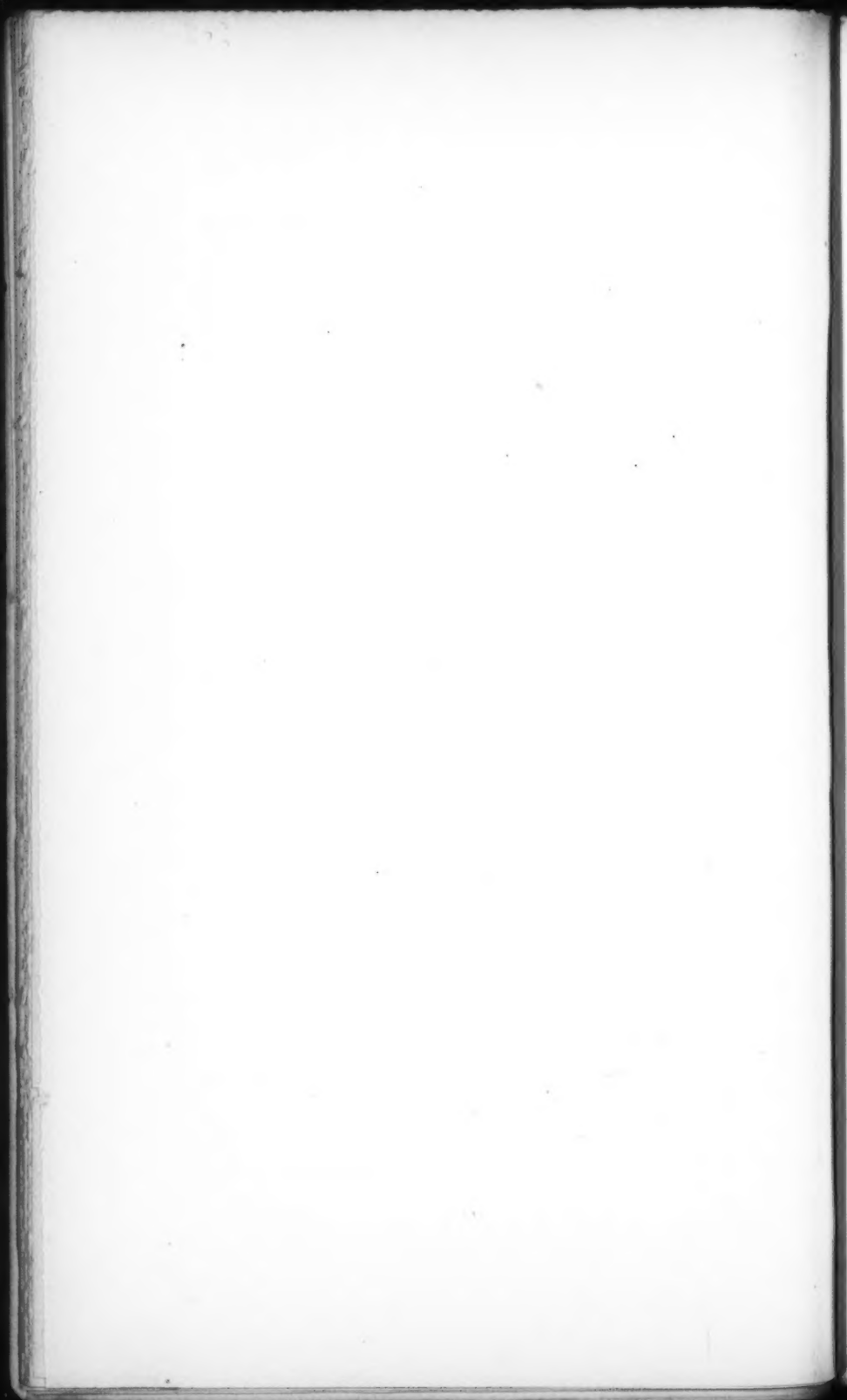
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